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THE LEAGUE'S BUSINESS

MUNICIPAL RESEARCH—ENGLAND CONTRASTED WITH AMERICA

OUR readers will be interested in the following view of municipal research in England and America. The excerpts are from an article by William A. Robson, editor of *The Local Government News*, published in London.

English political methods are held in considerable prestige abroad; and during a long tour of the United States last year I heard in many quarters expressions of admiration for the manner in which the machinery of internal government is carried on in Great Britain. These expressions of esteem were based partly on fact, partly on legend.

So far as local government is concerned, my general conclusion is that whereas in England the political structure is on the whole superior, more efficient, and less corrupt, and the atmosphere in which local politics are conducted more public-spirited, we have, nevertheless, a good deal to learn about the technique of administration from our friends across the water; and some attention might well be paid to the extreme efficiency which is now being attained in America in many departments of local government under what is known as the City Manager System. . . .

One of the most striking features to be observed throughout the breadth (if not the length) of the States is the extraordinary attention which is given to municipal research, and to co-operative effort for the scientific development of local government by associations of municipalities. There are in North America—including Canada—at least thirty-six (and possibly more) bureaus of municipal research unconnected with universities or public libraries, and no less than twenty similar bureaus, or departments, specially concerned with municipal government, attached to universities or colleges. In addition to these, there are nearly thirty leagues of municipalities (each usually covering a large specified area) having as one of their most important functions the investigation of problems relating to various phases of local government. Practically all these bodies issue detailed reports and monographs or journals at frequent or periodic intervals; and there is thus available, both for the local councillor and the expert official, for the student of political science and the voluntary social worker, a continuous stream of up-to-date information of a most important kind. . . .

What is very definitely needed in this country is a great deal more research in the field of municipal government than at present exists, and in this respect the American example might well be emulated. The field is almost untilled at present. Apart from the official investigations and annual reports of the Ministry of Health and other central government departments concerned with various functions of local government, and the standard reports of the local authorities themselves (such as the annual review of the local medical officer of health), there is but little in the way of scientific investigation at all. . . .

The universities in England have nearly all turned a cold shoulder to the study of municipal government, despite some special academic courses at London and Liverpool and possibly elsewhere. Even the London School of Economics and Political Science, the foremost college in Britain for the study of public administration and economic science, has nothing in the nature of a department of local government in any way comparable to the leading American examples. The best work has been done by unattached private workers, such as the indefatigable Mr. and Mrs. Sidney Webb, Mr. G. D. H. Cole, Mr. C. M. Lloyd and others; and the Royal Commissions are beginning to shed new light, in a sporadic way, on problems both old and new.

An immense amount of experimentation is going on all over England in the sphere of local government. New methods of political organization are constantly being tried, new administrative inventions put to the test, new devices in regard to procedure in committees and council chamber continually put into practice. Yet nearly the whole of this great mass of effort and experimentation is for the most part wasted, for the simple reason that as a rule no one knows of its existence outside the particular area in which any bit of it actually takes place. . . . The real start in this matter might possibly come from the civic universities; and councillors in the great industrial cities might well endeavor to interest the university authorities in the subject. Why should we lag behind America in this province? The field of research in England is extraordinarily rich, owing to the great diversity in history and circumstances of various parts of the country.

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GOVERNMENT BY DEFAULT[1]

BY WILLIAM P. LOVETT

Secretary, Detroit Citizens League

Suggestions on reporting government to the people. Some practical publicity methods or how municipal officials can keep citizens informed about their local government. :: :: :: :: ::

GOVERNMENT is one of the few agencies which touch all the people at many points, for good or ill. Yet one of the greatest weaknesses of all popular government is lack of contact between the government and the people—between the business corporation and its stockholders. City government is not only a matter of business, but a matter of people—it must be human in quality or it fails.

It is said that every city is governed as well as it deserves to be. This is true when the people have access to the facts; if they are not interested, they do not care for facts. But many times the people are indifferent because they cannot get the facts even if they try, and so they get discouraged and careless about all government. This civic indifference, accounting for the light vote at many elections, is the greatest handicap on good government to-day.

"Government by default" is a good name for this situation. Its prevalence is so appalling that it reaches out into state and national affairs. It is the exception rather than the rule in American elections when a majority of the qualified voters cast any ballots at all at a given election. This means government by minorities. The great majority of good citizens, not having the facts and being indifferent, permit an alert, and frequently corrupt, minority with only selfish interests to serve to dominate the particular local or other unit of government.

For this situation, lack of proper methods in reporting government to the people is largely responsible. Until this problem is solved, the whole question of our American democracy will still be left hanging in the balance. The measure of success in good government is largely determined by the measure of citizen interest and civic co-operation. Such interest and co-operation either depend upon or go together with adequate methods of reporting government to the people.

[1] Address at the Tenth Annual Convention of the Illinois Municipal League, November 2, 1923.

The man or group of men who can solve this problem will become great in American history.

The public should be a party to government transactions before, not after, the decisions are made. Every good city official will want to have the citizens informed—it is only the grafter or professional politician, with selfish ends to serve, who wants the people to be kept in ignorance of city affairs. The great majority of officials are facing an insoluble problem: How to get the facts to the people so they will be understood and the people will maintain continuous, intelligent interest in their government? Nobody has yet furnished a final solution to the problem, but many things can be done to help solve it.

The citizen should know the facts because, if he believes they are kept from him, he becomes suspicious and careless, and at election time he is easily stampeded by false propaganda. If the city waits till election time, the thing gets too hot and real facts cannot be imparted so as to be accepted. At elections some of the candidates are likely to be seeking to conceal facts and distort the truth, so as to get votes. Most citizens discount political statements made in election campaigns; they assume personal bias. But since the people, at elections, register decisions on government, as to candidates or issues, it is essential to try to keep the public informed during the whole year.

Much valuable time and energy are wasted because the public does not know or does not understand the facts, for example, regarding taxes. In making the city budget there are vast fields of possibilities available, yet to be cultivated. The average taxpayer knows so little about the whole subject of city financing that he makes no inquiry about the units of service for which the money is spent; he simply kicks on the size of his total tax bill, or throws out a chest and condemns the tax rate, which of course is always, from his standpoint, too high. Public ignorance and unfounded suspicions are the soil in which many a capable administration has allowed seeds of distrust to grow, till they upset the whole helpful program and ousted good men from public office.

The newspapers cannot alone solve this problem; if they can, they have not yet done it. Newspapers exist chiefly to print news, or what the editor thinks the people want to read, and many facts in the city hall are not news in that sense. Or, the information is furnished by the press, not logically, connectedly, and continuously, but piecemeal, so the citizen is confused and largely in ignorance. To some extent newspapers, though recognized as an unofficial branch of the government, are in danger of suffering from their own bias in opinion, or the reader attributes bias to them. The press also is subject to laws against libel, if it prints all it knows.

Another handicap is the fact that people think and talk, not of government in the true sense, but of politics in the bad sense and thus they do not expect the truth. They assume that any man in public office must be a crook, hence cannot give the facts: He is only a "politician." Now this is a bad situation, because the man on the job, at the head of a city department, ought to know the facts, and ought to be accepted as the authority in that line.

Many other methods have been suggested and used, in various cities, including departmental reports, which generally are so technical, statistical, or otherwise unreadable, that they are not read at all by the average taxpayer. Yet bulletins and municipal reports are

essential to reporting government. Another excellent method is that of municipal exhibits.

What is the answer? Experience shows that while no single method of reporting government can alone solve the problem in every case, a combination of methods can best be used, with emphasis locally on that method which best fits the case. I would put first in importance the officials and their departments. Special attention must be given to the point of view of the citizen, as well as to the conditions and facts themselves. Municipal publicity may well be delegated to a specialist in every city, who makes of it a study and a practice.

Such an information official should be qualified and authorized to organize his work, call on city officials for articles, reports, addresses, etc., and send speakers where they may be needed to tell the people what they want to know. He should get out interesting, attractive, illustrated leaflets, reports, folders, etc., and make use of every available channel of publicity, including motion pictures, and municipal exhibits.

Special attention should be given to use of the press. In some cases possibly a single newspaper can be persuaded to set up and maintain a department of municipal information, highly organized, and constituting an advantage to the city and to that newspaper. The motion picture already has been used effectively, with slides for the stereopticon, in connection with all sorts of municipal projects.

I believe the best principle to adopt is to take the government to the people rather than ask the people to go to the city hall. Utilize meetings already arranged, where citizens gather. Make use of the public schools, churches, clubs, and even the pulpit and platform, for municipal information. Great results have been achieved through civic clubs, the research bureau method, both private and public, and the speakers' bureau. By adapting all these to local conditions, the handicap of public ignorance by slow degrees, over periods of years, can be overcome, and the effectiveness and success of city government can be doubled.

CRIME PREVENTION THROUGH RECREATION

BY M. TRAVIS WOOD

Playground and Recreation Association of America

A PRISONER in the Westchester County, New York, penitentiary recently announced to the county recreation director, who had been initiating him and his fellows into active team games, "If we'd had more of this when we were kids, I bet a lot of us wouldn't be here now." Cities are increasingly testing this theory and discovering its soundness. They are providing play centers and play leadership not only as builders of health and citizenship, but as preventives of crime.

Playground bills to-day promise to cut crime bills to-morrow, as well as help prevent the loss of useful citizenship. But statistics from a number of cities show that it is not necessary to

wait until the present playground children grow up to feel the effects upon crime of expenditures for municipal play. Their effects upon juvenile delinquency, a great breeder of adult crime and in itself no small drag upon the taxpayer, are often evident within a few months. They are felt in a falling off of cases coming before juvenile courts and a general lessening of children's destructive mischief.

CHEAPER THAN REFORMATORIES

According to a statement recently made by a boys' work director in Bluefield, West Virginia, the city three years ago was sending about fifty boys a year to the state reformatory. In the last two years, only two boys have been sent. The difference is credited to boys' club work established three years ago and to a year-round system of playgrounds and recreation established one year later.

The average cost of maintaining a juvenile delinquent for one year in a reformatory is more than $400. Using fifty cents per capita per year as a fair expenditure for the maintenance of playgrounds and recreation centers under leadership, the saving involved in keeping a single child out of the reformatory can provide directed play for more than eight hundred children.

PERCENTAGE REDUCTIONS OF DELINQUENCY

Statistics arriving at the office of the Playground and Recreation Association of America during 1923 bear interesting evidence to the reduction of delinquency by directed play. Seventy-five per cent was the decrease in the number of juvenile court cases reported in a single district of St. Louis after the establishment of a playground. Yakima, Washington, reported a decrease of 50 per cent in juvenile delinquency after the organization of a recreation program by a Community Service committee. Through an athletic club a gang of boys well known to the court became a force for better citizenship, putting up street signs, organizing a night school and working with the judge to help other boys go straight.

Nashua, New Hampshire, which established playgrounds under a city commission in 1922, has reported a reduction in delinquency of a little less than 50 per cent. Brazil, Indiana, attributes to its summer playgrounds the fact that it did not have one juvenile court case last summer. Smaller communities in the vicinity of Brazil had one to four cases.

PASSAIC COURT SHUTS DOWN

It was not necessary for Passaic, New Jersey, to compile statistics as to the value of its newly acquired recreation systems in preventing child crime. Five months after the Department of Recreation began its work, the juvenile court was permanently closed.

On April 24 the police justice of the city wrote to the Board of Recreation Commissioners as follows: "A study of juvenile delinquency in the city of Passaic reveals that there has not been a session of our juvenile court since November first of last year. A few boys have been before the police court, but they have been old offenders or lads from neighboring cities.

"The winter program of your board started early in November at three different schools and a recreation hall and it is my firm belief that these social and recreational activities are responsible for this decrease in juvenile delinquency and the discontinuance of the juvenile court."

RESULTS OF MAP STUDIES

A map study of the effects of playgrounds on delinquency has been made by Mr. T. P. Eslick, Chief Juvenile

Officer of the District Court of Iowa, at Des Moines. The location of all playgrounds in the city were charted, and a dot was placed at the residence location of each child who had been brought before the court. The results were striking. A practically spotless area surrounded each playground, shading off into greater and greater density in proportion to the distance from a playground. A similar study made by the Playground and Community Service Commission in New Orleans showed similar results.

"Though I had always felt the influence of these playgrounds upon delinquency," Mr. Eslick wrote last February, "yet I had had no positive proof of it before. These maps fully convinced me. My ten years' experience in juvenile courts in Denver and Des Moines have made me a firm believer in the proposition that playgrounds pay large dividends to the taxpayer in that they prevent much delinquency which would be a very expensive proposition from the standpoint of both dollars and citizenship."

PROPERTY DESTRUCTION LESSENED

In providing a wholesome outlet for the energies of children, municipal recreation prevents property destruction, a common form of juvenile lawbreaking which is generally caused by lack of play facilities. The chief sport of a gang of boys in a Chicago neighborhood used to be throwing stones or snowballs, according to season, at passing automobiles and trains, and sliding down the fenders of parked cars. Since a recreation center has been opened for the boys, motorists have enjoyed perfect peace, and breakage of street lamps and train windows has greatly decreased.

Boys who have no outlet for their spirit of play and adventure sometimes start fires merely for the thrill of seeing the apparatus rush down the street. Such a fire recently caused a loss of $300,000 and resulted in the sentencing of two thirteen-year-old boys to a reform school.

The depredations on property of Hallowe'en revelers have been checked in a number of cities through municipal celebrations arranged by departments of recreation and affording the young people more Hallowe'en fun than they every had before. The manager of the Edison Light Company in Duluth reported a drop of 37 per cent in breakage of street lights Hallowe'en, 1922, when the city arranged a celebration, as compared with Hallowe'en, 1921, when it did not. In Centralia, Illinois, the damage done on Hallowe'en in 1922 amounted to $500 and by nine o'clock the police had answered about fifty calls to stop vandalism. In 1923 a municipal celebration was staged and not a single case of damage or vandalism was reported. Judge C. W. Palmer of Defiance, Ohio, reported after the city's 1923 Hallowe'en celebration that no offenders were brought into the juvenile court the day after Hallowe'en, whereas in previous years the whole day had been taken up with hearing complaints against young marauders.

POLICE ENDORSE DIRECTED PLAY

There is no stauncher advocate of supervised playgrounds and recreation centers than the policeman, who observes at first hand their benefits upon the rising generation. Chief of Police, Daniel J. O'Brien, of San Francisco, appealed to the Community Service Recreation League of that city to extend its work of organizing neighborhood recreation centers into sections it had not yet touched. He had observed the quick effects of the centers in turning dangerous gangs into upstanding young citizens with a keen sense of sportsmanship.

The Chiefs of Police Association of Pennsylvania in convention at Wilkes-Barre, October, 1922, adopted a resolution endorsing "the movement of municipal governments and of local organizations working with Community Service and the Playground and Recreation Association of America in establishing playgrounds in sufficient number in all cities of Pennsylvania to prevent juvenile delinquency and street accidents and to provide healthful exercise through efficient supervision."

Playgrounds and recreation centers under leadership, working side by side with the home, the schools, the church and other official and private agencies, accomplish their work of crime prevention not alone through keeping children away from the demoralizing influence of the streets in their leisure time. They give normal instincts a chance for normal expression. They substitute the team spirit for the gang spirit. The miniature community of the playground serves as a school for citizenship. Through play it teaches the philosophy of give and take and the reason for abiding by laws which shall assure the greatest good to the greatest number.

PROPOSED CHANGES IN THE INITIATIVE AND REFERENDUM IN MISSOURI

BY THOMAS S. BARCLAY
University of Missouri

THE initiative and referendum were introduced in Missouri by constitutional amendment in 1908. The amendment provided for the direct initiative, applicable both to ordinary legislation and to constitutional amendments. The referendum was of the optional type and could be invoked upon acts of the general assembly, either by popular petition or by the legislature itself. Laws necessary for the preservation of the public health, peace, or safety, and laws making appropriations for the maintenance of the public schools, the state institutions, and the expenses of the state government were declared exempt from the operations of the referendum. A later decision of the state supreme court held that whether or not an act is necessary for the immediate preservation of the public peace, health, and safety was a matter for judicial determination. Statutes supplementing the constitutional provisions and prescribing the exact method of procedure were passed in 1909.

From 1909 to 1922, the electorate considered thirty-seven measures of direct legislation. Fifteen constitutional amendments were proposed by the initiative; only one was adopted. It provided for a new procedure in amending the constitution, and was passed in 1920. A large majority of these proposed changes dealt with subjects of a highly controversial character, such as state-wide prohibition or a radical change in the prevailing method of state and local taxation. The total number of votes cast for or against the initiative proposals ranged

from 53 per cent to 93 per cent of the entire number of votes cast for the leading candidates for elective office. Two acts of ordinary legislation were proposed by initiative petitions, but neither was adopted.

The referendum was invoked for the first time in 1914. In all, twenty acts of the general assembly have been referred by petition to the electorate. From 1908 to 1920, a period of twelve years, only six measures had been submitted. One had been upheld, a statute providing for state prohibition enforcement. The votes cast at these elections averaged about 70 per cent of the total vote cast for a prominent elective official.

PARTY CONTROL AND THE REFERENDUM

In 1920 the Republicans, for the first time since 1868, secured control of both houses of the legislature and of the governor and chief executive officers. Some sixty state administrative boards, bureaus, commissions, and departments were in existence and both parties had promised administrative reorganization and the abolition of useless offices. Under the Republican leadership and by a strict party vote, a series of consolidation measures were passed. In the abolition or reorganization process, a considerable number of deserving Democrats were threatened with a loss of their positions. A group of laws redistricting the state and combining certain local offices in counties were likewise passed by a party majority.

Opposition to the above measures became pronounced in Democratic circles and it was urged that the referendum be invoked against many of the bills. The party organization approved and sponsored this policy, and the use of the referendum as an implement of partisan warfare became little short of notorious. Some twelve measures were referred under the approval and direction of the Democratic State Central Committee. Democrats were urged during the campaign to vote against all the referred measures. In the election of 1922, these twelve and two additional referred bills were rejected by approximately the same majorities.

The use of the referendum by one party to hold up and probably to defeat the legislative program of the other aroused considerable hostility toward the continuation in Missouri of any form of direct legislation, but especially to the referendum. In the constitutional convention this opposition was voiced by members of both parties. Several proposals either abolishing entirely both the initiative and the referendum or increasing materially the number of signatures required for submission of petitions were introduced.

VIEWS IN RECENT CONSTITUTIONAL CONVENTION

In the committee some disagreement developed. The representatives of labor organizations opposed generally any change in the existing procedure. The committee believed that the percentage of signatures required to invoke the referendum should be increased but it was felt that 25 per cent was too high a figure. The evils which had developed in the securing of signatures were apparent to all and it was agreed that the prevailing method should be altered. Members from rural and from urban communities made clear the existing situation concerning the process of direct legislation.

Mr. Hensen: "I have been a member of the election board in my town for twenty years . . . it has been my observation and experience that not 2 per cent of the voters are familiar with the measures proposed under the initiative and referendum. They are not interested in this ballot containing

a whole lot of fine printed matter, like an insurance policy that nobody ever reads. . . . A man who knows nothing about the merits of a proposition carries a petition down the street of his home town. 'John,' he says, 'you got to sign this,' and John says, 'What is it?' 'Oh,' he says, 'it is all right. It is a petition sent down to me to get signers on. I want you to sign it.'"

Mr. Bowles: "I found generally that the petition was promoted by certain parties having an interest which would be adversely affected by the proposed law. I found that they hired people to go out and get names, and that the customary compensation was ten cents per name. I found every kind of misrepresentation was indulged in."

The original report of the committee, however, recommended no changes of a drastic character. The percentage of signatures required on referendum petitions was raised from 5 to 8 per cent; the initiative lowered from 8 to 5; the number of signatures computed upon the total number of votes cast for governor at the last preceding election rather than upon the number for justice of the supreme court.

The report of the committee was not satisfactory to the convention and a long debate ensued. A majority of the delegates recognized the merits of direct legislation, and did not favor its abolition, but they felt that the process should be made more difficult and that legislation passed by the general assembly and signed by the governor should not be too easily subjected to the whims of an organized or partisan minority. It was urged that the percentage of signatures required be increased and also that all petitions be signed before an official authorized to take acknowledgments who should certify that each signer was personally known to be an elector of the county and to reside at a known address. Some advocated a central point, the county seat, where all signatures must be filed.

THE PROPOSED AMENDMENT

Under the amendment as adopted by the convention, significant changes were made to the existing provisions in the present constitution. The percentage of signatures required on a petition to invoke the initiative on general laws is fixed at 8 per cent of the voters in each of at least two thirds of the congressional districts, while for the initiation of constitutional amendments the percentage is fixed at 12. Although the governor is denied the power to veto initiated legislation, the general assembly is given power to repeal an act adopted through it. With respect to the referendum, the number of votes required for petitions is increased to "at least ten per cent" in each of at least two thirds of the congressional districts. The number of signatures required for any initiative or referendum petition is to be computed upon the whole number of votes cast for governor instead of that for judge of the supreme court. This will increase the number required.

The ballot submitting to referendum an act of the general assembly reads: "Shall the act of the general assembly be rejected?" The existing provision reads: "Shall the act of the general assembly be upheld?" This change takes into account the tendency, perhaps the habit, of the uninformed and uninterested portions of the Missouri electorate to cast a negative vote on all questions. This characteristic will be turned to advantage by the rewording of the statement and it will require an affirmative vote to reject the law. Finally, provisions of a statutory character are introduced concerning the residence, address, and registration of a petitioner.

Opponents of the proposed amendment have charged that it destroys the initiative and referendum, but the changes recommended are in no sense an abolition of direct legislation. The proposals are rather for the purpose of retaining the initiative and referendum with their essential features but making it more difficult for organized minority groups to use them as weapons of prejudice and of partisanship and unduly to interfere with the process of government.

At the special election held on February 26, the proposed amendment was defeated by a majority of 81,070. It suffered a fate similar to 14 other amendments submitted at the same time, only 6 measures of an unimportant character were ratified. The large majority against the initiative and referendum amendment seems to indicate that changes are not desired, although certain of its advocates are considering a resubmission by initiative at the general election of 1924.

THE HOUSING SITUATION IN LOS ANGELES

BY SIEGFRIED GOETZE
Los Angeles, California

Paper read before the city planning commission, December 4, 1923

THE foundation of a proper building development of a city is laid through a practical and timely solution of the problems of city planning. The first of these problems lies in furtherance of better working and housing conditions. To every inhabitant of a city must be given the opportunity to earn the necessities of life through the medium of work and to find a place to live in. It is the problem of city planning to provide districts for industry, commerce and trade, and districts in which people may healthfully live, making them accessible through streets provided with modern utilities such as sewer, light and water, etc., and establishing means of transportation.

In addition to the satisfactory solution of the working and living conditions comes the welfare of the mental and physical life of the people. And again, it is the problem of city planning to make timely provision that, with the ever-increasing growth of a city, educational and recreational places can be established for which suitable land should be set aside in advance of its increase in value. Building lots for the purpose of these structures should be reserved and park areas provided for exercise in the open. The solution of this problem will be furthered through the timely purchase of land through the city. Here the work of the city planners must lead the way. The determination of the necessary areas to be thus set aside is the duty and the work of city planners.

The third and not less important problem of city planning is the building and the extension of all artificial and natural traffic roads. Roadways, rail and waterways, if any, are used for the purpose of transportation of people and freight and are the necessary facili-

ties in the development of commerce and trade. All problems of city planning must be solved from the standpoint of utility, combining it with the esthetic.

THE LAND QUESTION

Land is the basis of all city-planning measures and movements and it is somewhat the raw material, the molding and finishing of which city planning brings about.

Be it the question of the conservation of historic landmarks, or the planning of new subdivisions, the openings of streets, the establishment of parks and playgrounds; or may it be the promotion of building activities, or the question of high rents, there always looms in the background the land question and demands its recognition. On its right solution finally depends the issue. Therefore, city planning must properly direct the policies relative to the land movement, if a healthy development is to be obtained.

LAND VALUES IN LOS ANGELES

The rapid industrial and economic expansion of Los Angeles produced higher wages and increased earnings and with it land values and rents went up. While formerly only a few people settled outside of the built-up section of the city, it becomes now a more general tendency and there is a desire to move further out, through which a rapid rise of land prices in the outlying section followed, automatically driving up the prices of land in the inner belt of the city.

The rise in land prices was marked with satisfaction. One noticed it as an indication of economic progress and viewed it as a source of a rapid accumulation of wealth, which was thought necessary from an industrial, social and economic point of view. Furthermore, the rise in land values was looked upon as a certain factor in the real estate movement and in building activities and was thought to overcome a growing housing shortage.

Even if this assumption may be true in certain respects and we can locally prove that a moderate rise in land values has brought about economic progress, we have, nevertheless, gone beyond the line. As long as the increase in land values corresponds to the actual economic use and is bringing relative returns, it is justified. But here the development did not stop. It engulfed in the movement of land values, not only lots ripe for building purposes, but took in the farthest districts outside of the radius of the city and suburban territory, the upbuilding of which was still in the far distance. Not fast enough for man is the natural development; greater are his demands for progress. In the great agricultural territory surrounding our city, fantastic prices are paid as one hopes and speculates that everything may sometime become a building lot.

If it were that those land prices asked for are only the idea of the owners, one could be amused over the fact and leave him his harmless hopes of future wealth. However, this is not always the case, as the process of valuations has already gone so far that it has somewhat undermined our economic life.

One can no longer buy, in the outlying sections of the city, land suitable for agricultural purposes that will give a return in proportion to the prices asked. Agriculture, therefore, becomes uneconomical at the very gates of the municipality where foodstuffs should be raised for the daily consumption of the population. Sixty thousand acres of Los Angeles county orchard and agricultural lands were taken last year for subdivision, for commercial and oil development, with an equal amount this year.

In the sale of such land, the "increased land values" becomes the basic price. The new owner takes over the land and property at too high a price, often overloaded with mortgages, with hardly an income to depend on, except future hopes.

The economic motifs appearing in business and industry do not apply with the same force in the building of houses because of the identity of the housing problem with the land. While buildings will in years decrease in value, land, with very few exceptions, will always increase in value, thanks to the unearned increment.

THE LAND MOVEMENT AND HOUSING STANDARDS

The growth of land prices reduces the value of the physical improvements, their substantiability and artistic appearance, with the result that building-art is drifting into commercialism.

The process of land values is viewed by the housing worker with serious concern. Where are the ideals of comfortable home life when high land prices are forcing building costs to a minimum; with buildings higher and closer together, doing away with open spaces, gardens and playgrounds, and under pressure of such economic conditions reducing all social standards and eliminating social ideals?

HOUSING IN THE LIGHT OF PUBLIC WELFARE

One is apt to hold responsible for those conditions, the landlord, the real estate man or the city administration. However, if we view the problem in its entirety, we must admit that it is not the willfulness of some individuals, but we are here concerned with a general economic problem which is closely connected with our economic life. Realizing the necessity of solving the problem, we must view it in the light of general public welfare, adopting careful and consistent measures, recognizing justified private rights and interests.

A land policy should be adopted dealing with economically proper methods of land subdivision and its use, guiding a sane and equitable rating of land. A judicious land policy for the better adjustment of housing conditions will be of far-reaching importance.

HOMELESS PEOPLE

According to government statistics, a little over 64 per cent of the population of Los Angeles was living in rented quarters in the year of 1920. To-day, there are still 62 per cent of the people of this community without their own homes, with many thousands of people living in unsatisfactory, crowded quarters, and who are homesick for their own little homes. Under these conditions, children, especially infants, are the first to suffer. In the fiscal year of 1922, according to the health department, 922 deaths of children under one year of age occurred, giving the death rate of 68.43 per cent per 1,000 living children born—an increase of deaths of children under one year, over last year, of 136, which, as the health department states, "may be accounted for by an increased population, the influenza, and neglect due to the restless condition of the public under which circumstances the dependents are the first to suffer." In the same report, we are informed by the housing commission "that the building activities of the year have greatly improved the housing situation. Cramped and congested conditions have been relieved and a steady improvement continues."

PROVISIONS FOR GOOD HOUSING

Selfishness and profiteering in housing should be strenuously opposed in

the interest of the state and the community, and the right of the child to a decent home, to sunlight and a playground should, wherever possible, be upheld, first of all, through a share in the homeland and second, through the provision of housing facilities for people with large families so that *American families with American children may not wander homeless from door to door begging for quarters.*

May we not look to the city planning commission for aid and assistance in solving the housing question, for the scope of your work is so closely related to the housing of the people. Private initiative will do its share towards this end and should be encouraged in every possible manner by assisting recognized, co-operative, profit-limited housing concerns in the acquisition of land and the obtaining of credit for the erection of housing undertakings and thus help those who are more or less dependent and would otherwise remain in the hands of the housing profiteers.

THE PROSTITUTION AND VENEREAL DISEASE PROBLEM IN LOUISIANA

BY L. C. SCOTT, M.D.
Louisiana State Board of Health

THE prevalence of prostitution has altered little since 1921, but during that year, and previous years, it was possible to control it to a marked degree by compulsory examination and internment either in the New Orleans Isolation Hospital or in the Venereal Hospital in Alexandria. The latter has been abolished since June 1, 1923, and the necessity of the city health department conforming to the provision of recently enacted legislation closed the other avenue of suppression.

LEGAL DIFFICULTIES

Paragraph 3, section 15 of Act 79, passed by the state legislature in the session of 1921, virtually makes it impossible to handle venereally infected persons unless they are committed by a judge. But before a charge can be made, it must be established that a person is suffering from a venereal disease. The inconsistency in this law lies in the statement that no person shall even be subjected to a "medical examination of any nature or kind." It is manifestly impossible to make a diagnosis without an examination; therefore, it would be very unwise to make a charge and cause an arrest on hearsay evidence or even the appearance of a person.

There is an ordinance regarding prostitution, and I am informed that 2,700 arrests were made in 1923. It is said that there were a few fines, the overwhelming majority of the arrested women being allowed to go free. They immediately return to their haunts and ply their trade as before. There are no examinations, and were these made there is no place to intern the infected ones.

It is believed that the procedure of making arrests merely occupies the valuable time of the patrolmen without any visible result, and that it is useless if nothing further is done.

That there are many prostitutes and a number of houses of prostitution in New Orleans there is hardly any doubt. Women have been repeatedly noticed openly soliciting from windows and doorways in a certain street. The house number has been communicated to the police and for a short time the inmates disappear. It is not long, however, before the same or other faces are to be seen at the doors; presumably the fines have been paid, or at any rate they were released. They, or the landlady, who harbors them, will for a time be more circumspect.

FAILURE OF VICE SUPPRESSION

It is my conviction that prostitution cannot be suppressed in this manner; I doubt whether it can be entirely eliminated by any means whatsoever. The methods used are no new ones. The history of prostitution is replete with repressive measures that make the present ones seem puny by comparison. That they were not successful, or at least not permanently so, is too well known to be worth an argument.

The fallacy of all suppression is based on the idea that force can accomplish what reason fails to do. Prostitution is regarded as an offense against the social order, mainly because public opinion chooses to view it as such. Stripped of all trivialities and assumptions, prostitution *per se* is not a criminal, scarcely even a civil dereliction, and should not be classed as such. The greatest danger of prostitution lies in the fact that it is the source of diseases which are peculiarly associated with this manner of living. Prostitution is therefore pre-eminently a public health problem, and should be so regarded and handled. Every prostitute is a potential carrier of disease, and police power may and should be invoked to the extent of protecting the public against disease, in much the same way as it is employed in enforcing quarantine regulations. Smallpox, yellow fever or leprosy are decidedly more important from the epidemiological standpoint than are syphilis, gonorrhea and chancroid. There is no objection to using force when it becomes necessary to control them. But there is this difference: the individuals suffering from smallpox, yellow fever or leprosy are not afflicted with maladies around which society has woven a fabric of sentimentality and, more important still, the victims are taken care of until they either die or get well.

PROSTITUTION A HEALTH PROBLEM

Until it is appreciated that prostitution is a health and not a police problem, and that the prostitute is a theoretical if not actual danger because she is a disease carrier and handled as such, there does not appear to me to be any method of doing permanent good. Even this will be only partial; never complete. There will always be prostitutes as long as society chooses to breed women of this class and just so long as economic conditions preclude the earning of a living wage by those who enter the ranks from necessity and not from choice. The best that can be done is to lower the venereal disease rate by offering or compelling treatment of carriers. This is possible and feasible. It is the safe, sound and sensible principle upon which all preventive medicine depends. It is so fundamental that no one thinks of obstructing its practical application except in the case of the venereal diseases. And because it is fundamental and common sense it will solve the venereal disease problem and with it the problem of prostitution so far as the latter is humanly capable of solution at the present time.

WHAT IS BEING DONE

In a way this ideal of prevention is being appreciated throughout the state among the general population. It is true that the progress is only gradual and scarcely perceptible. But already regardless of the disinclination of the medical profession to report venereal cases, there is undoubtedly a relative decline in the prevalence of venereal disease.

The decline may be ascribed in the first place to the abolition of tolerated districts in large towns and cities, and secondly to the free venereal clinics situated at strategic points.

Public sentiment has not permitted the re-establishment of any circumscribed vice area, and it is not likely to do so in the future. Now since the prostitution quarter is the most prolific source of the venereal diseases, this element has to a large extent been eliminated. The effect was not apparent for several years, but there is no doubt now that the revolt from the tolerant attitude has operated powerfully in diminishing the number of infections and their dissemination among the public.

PUBLIC CLINICS

As the public clinics are becoming better known the increase in attendance is proportionately greater. They occupy a unique position not only as the haven of relief from bodily ills, but they are virtually centers from which information of the worth-while sort slowly percolates into the masses. No lesson is so aptly learned as that taught in the hard school of experience, and those who have acquired this knowledge are able to pass it along in a far more convincing manner than any lecturer from a platform; they speak a language which their associates understand. This is borne out by experience. It is a slow but efficacious process and the capacity of the clinics for doing good could be greatly enhanced were it permissible to advertise their whereabouts. Public sentiment will not permit this to any marked degree; certainly not at all under titles which reveal the true objective. We must be content with subterfuge and circumlocution. To call such a clinic in print just what it is, a place for the treatment of venereal disease, and to publish a notice of its location in the daily papers or put it on a sign, would raise a violent storm of protest. The reason is not far to seek. It is the age-old ostrich policy of hiding the head, of ignoring the disagreeable as though it had no existence in fact. This does not ameliorate conditions; it only blocks the game and makes the situation more difficult to handle; for handled it must be regardless of public or private attitude of mind.

We find that no matter how we turn, whether we try to evade the issue or not, or try to simplify matters by glossing over conditions, we shall eventually be forced to the conclusion that no single method, least of all the employment of fines or other punishment, will be sufficient to mitigate prostitution and its concomitants, the venereal diseases, unless such procedure be based on the principles of preventive medicine. The venereal question should be regarded from the public health standpoint. Only so far as it is necessary for the enforcement of the provisions of the sanitary code and specifically that section which deals with communicable diseases, should police power be employed. This fact should be recognized and provisions made accordingly.

THE BOARD OF ADJUSTMENT AS A CORRECTIVE IN ZONING PRACTICE

BY CHARLES K. SUMNER

Member of the City Planning Commission, Palo Alto, California

DURING the year 1923 it has been the instructive experience of our city planning commission to draft a new and exacting zone ordinance, and then to see how it works and observe some of its effects. In my opinion one of the most useful of the lessons of this experience is that a degree of flexibility is imperative in zoning administration. I do not mean the kind of flexibility which is imposed by bending, stretching or twisting an ordinance to convenient interpretations when exigencies require, but the orderly and legal flexibility which is had through a board of adjustment or appeals. Such a board is recognized as an essential by zoning authorities, and is provided for in the standard state zoning enabling act of the United States Department of Commerce and in the zoning acts of many of the states, including New York and Illinois, but it is not so provided for in California.

WHY A BOARD OF ADJUSTMENT

The purpose of a board of adjustment is, of course, obvious in its name. It is to safeguard the rights of individuals by providing a convenient remedy against the arbitrary or unreasonable exercise of the police power. This remedy is commonly invoked against administrative errors and contestable rulings in the enforcement of the zone ordinance, and also in exceptional cases "where, owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship." Its value for these purposes is well recognized; but it is perhaps not realized to what extent a board of adjustment is called for by the technical difficulties of zoning practice, as these are frequently and naturally reflected in the zone ordinance and its administration. For a defective or deficient zone ordinance is probably as fertile a source of disturbance and maladjustment as a public body can create. It is my aim here to point out certain ways in which a board of adjustment will minimize troubles from this source, and thus help to make zoning administration reasonably flexible. It is hardly necessary to say that in dealing with this subject I am not disparaging our own zoning ordinance, which as a whole is a creditable and valuable product, but am drawing my lessons from a somewhat wider field of observation.

DEFECTS OF ZONING ORDINANCES

One may speak freely of defects and deficiencies, for there are probably few zoning ordinances that do not invite some improvement. Imperfections lie in the human nature which they reflect. The reasonableness of zoning and its promise of orderliness and conservation give it a strong popular appeal. Its practice holds a variety of attractions to any body of citizens who may be privileged to direct thereby the future development of the community. But in its usual sense of local knowledge and sufficiency such a body will inevitably underrate the technical difficulties of drafting a sound and workable instrument, especially if it dispenses with professional guidance. It will just as

surely fail to some extent in this work in regard to clearness of expression, in adherence to recognized zoning principles, and in respect for the limitations of the police power upon which the whole structure of zoning rests.

The least of these difficulties, one would think, is to make the language of an ordinance clearly intelligible. It does not appear difficult to compose regulations that will convey just what we mean, and nothing else, especially concerning matters which are fairly definite and measurable. To the uninitiated the average ordinance does in fact bristle with precision. This impression, however, is likely to be changed with closer acquaintance, for the nice use of language is probably no more general in ordinance writing than elsewhere. Ample evidence of this is to be found in the definitions of common but important terms. In ordinance construction a good definition is the foundation of all things; yet definitions are perhaps the feature most likely to be slighted, or copied bodily from some other inadequate document, and they frequently pass into print in a more or less confused, ambiguous, or even contradictory form. Definitions of important terms used in the ordinance may differ radically from those in current use in other ordinances and statutes, or they may even be missing altogether.

Ambiguous language is not a sign of clear and careful thinking, and there would doubtless be fewer verbal shortcomings in the average zone ordinance if the attention of its authors was focused carefully upon the principles governing the practice of zoning. A commission without a professional consultant is quite certain to be weak in this regard, for its members do not ordinarily inform themselves sufficiently concerning these principles, and they are seldom fully qualified to apply them. Familiarity with the physical features of a town is not a sufficient substitute for technical knowledge and judgment. This kind of local knowledge, although valuable, is not to be classed with the organized information without which zoning principles cannot be put into practice. As in dealing with trees, one must know more than can be seen above ground. Nor will vague speculations of future development take the place of the "well-considered and comprehensive plan" mentioned in our enabling act, and upon which all zoning study ought to be based. If these fundamentals of zoning procedure are omitted or neglected, one cannot expect the resulting ordinance to reflect sound principles in its use-classifications, area regulations and building restrictions. It will be in these respects—to go no farther—more or less haphazard and arbitrary, without consistent purpose, and a standing invitation to piecemeal alterations and concessions.

If a zoning agency does not fully realize the importance of zoning principles and scientific methods, it is also likely to forget that regulation by zoning should be strictly within the recognized limits of the police power. It will fail to some extent in respecting these limits, and will presume too much upon the supposed progressive attitude of the courts and upon the confidence and support of the local community. It is true that some of the inalienable rights of the past have now become subject to the general welfare under the police power, but the courts are still exacting as to the purposes for which this power may be exercised. Æsthetic improvement is not yet recognized as one of these purposes. Yet such improvement almost invariably accompanies the reasonable restrictions which promote health and safety, and the tendency is quite natural and some-

times irresistible to carry regulation beyond these legal limits in the effort to impose æsthetic standards upon the community. For better or worse, such standards are still in the province of the individual.

Of course the zoning body will not consciously overstrain the regulatory powers to promote community art unless it feels that the community as a whole would knowingly appreciate and accept regulation for this purpose, or unless, filled with zeal for improvement, it feels justified in borrowing the compulsion of the police power to uplift the community and hasten the millennium of good taste. But the commission which strains the law strains also the confidence reposed in it, and it is extremely doubtful if the representatives of the people would give their support to an ordinance in which well-meant but ill-considered art provisions are concealed.

Now these and like defects of our zone ordinance can of themselves create considerable trouble in zoning administration, and of a kind that cannot readily be overcome without the legal flexibility or means of adjustment we are now considering. Zoning regulations are of more than occasional or individual interest. Their effects are widespread, continuous and peculiarly searching, and their applications should, of course, be rigorously consistent and impartial. If, however, the meaning of the ordinance is not entirely clear, its enforcement as to some particulars will usually depend upon the arbitrary judgment or interpretation of an administrative body or officer. No one cares to surrender his rights to such arbitrary judgment. If a requirement of the ordinance is not based clearly upon principle, it will surely do injustice here and there in its practical application. If the police power is unduly stretched for art's sake, some unfortunate owners are sure to be penalized for the æsthetic ambitions of the zonists. Knowing the weakness of the average zoning ordinance, one may well entertain the belief that in many such cases the submissive applicants accept and suffer real and unjustifiable hardship, while in other cases permits are granted in plain violation of the ordinance. An ordinance which must be administered in this way cannot long be held in respect.

It may be said that the obvious remedy for the troubles just mentioned is not to provide a board of adjustment, but to amend the zone ordinance itself. This is true in theory, but it does not give timely relief to the petitioner because amendment is too difficult and too slow. Our enabling acts take for granted a serious, well-considered, and legally correct body of zoning regulations, and explicitly or implicitly they seek to protect the vested interests of those who comply with them by surrounding amendments with all the safeguards and formality of the original enactment. The required procedure with its notices and hearings is accordingly too cumbersome to be initiated as frequently as defective provisions appear and their attending troubles arise. The prominence accorded to various shortcomings by this course would also tend to make amendments quite unpopular except to the individuals looking for relief.

AUTHORITY OF A BOARD OF ADJUSTMENT

A board of adjustment, on the other hand, could rule promptly upon appeals arising from defects and deficiencies of the zone ordinance, and such rulings being duly made and recorded would thenceforth have for practical purposes the authority of the ordinance itself. Such changes and amendments as the findings of this board would indicate after hearing a

sufficient variety of cases could be effected in due course, with all the deliberation and formality that may be required. As I read the standard enabling act, this is a legitimate subject of appeal to the board of adjustment therein authorized, which may "make special exceptions to the terms of the ordinance in harmony with its general purpose and intent," although the powers of the board are granted primarily to cover administrative errors in the application of the ordinance and special conditions extraneous to it.

It is to meet such special conditions, of course, that the board of adjustment has its more usual and expected application. As real property comes under the view of the zoning body, its subdivision and improvement have been subject to the diverse wills and opinions of many owners, whose rights in such property must still be respected, and exceptional conditions will be encountered which cannot be covered by any general provision or amendment. In one respect this makes such cases even harder to deal with in the absence of a board which is empowered to recognize "special exceptions" and "specific conditions." If a provision of the ordinance is plainly unreasonable in its general application, the administrative body will construe it not to mean what it says, and grant permits in violation of the ordinance, thus assuming conveniently the power of a board of adjustment. But if, on the other hand, the case is one for special exception, while the general provision relating to it is plainly reasonable, the authorities are not unlikely to stand on the reasonableness of the general application and regard the petitioner as simply "out of luck." If the petitioner does not accept this view, his only legal recourse here in California is an appeal to the courts. One may observe occasionally this curious insensitiveness to the rights of individuals, on the part of zoning bodies and administrators, with a considerable measure of overconfidence in the wisdom and extent of their regulatory power. There is danger in this to the credit and progress of all zoning. Such are conditions *par excellence* for the services of a board of adjustment, which, as Mr. Edward M. Bassett has aptly remarked, is a safety valve against arbitrariness and one of the most important elements in protecting legitimate zoning from adverse decisions of the courts.

To protect and promote legitimate zoning by avoiding the various shortcomings here pointed out, and by minimizing their effects, we should make use of the mediating and shock-absorbing offices of a board of adjustment or appeals. There is no other or better means for providing the orderly, legitimate flexibility which zoning administration requires.

THE GASOLINE TAX WIDELY ADOPTED BY STATES

Thirty-six states have already adopted a tax on gasoline. Other states, as well as several cities, are contemplating the adoption of such a tax. In view of the general interest in this subject, we are printing the following résumé from the Report of the Special Joint Committee on Taxation and Retrenchment of New York State, submitted to the legislature on February 1, 1924. :: :: :: :: :: ::

At the beginning of 1924 there were thirty-six states that had authorized the collection of a tax on gasoline and other liquid fuels to be used mainly in the construction and maintenance of highways. During 1922 and 1923 alone, twenty states enacted such legislation, and Congress provided for a gasoline tax in the District of Columbia. When we recall that Oregon was the first state to adopt such a tax in 1919, it is apparent that the idea of a sales or excise tax on gasoline for highway purposes has been widely accepted in a very short time. Not only has the idea spread among the states, but several cities have recently been considering such a tax for similar purposes.

GASOLINE TAX MEASURES HIGHWAY USE

A tax on gasoline and other liquid fuels is regarded as one of the most equable methods of measuring the use that motor vehicles make of the public highways. It has been found that the three factors of most importance in the wearing out of roads are: (1) weight of vehicle, (2) speed, and (3) distance traveled. It is not possible for any system of motor vehicle fees to take into account all of these factors. A gasoline tax, however, takes direct account of the first and third of these factors and to some degree the second one. Besides, the gasoline tax is conveniently paid and it is easily collected. Under such a tax tourists from other states help pay the upkeep of the roads they run over. Another fact of importance is that the constitutionality of such taxation has been established.

The gasoline consumption tax has been objected to, principally by certain representatives of the automobile industry, on the ground that it is in addition to, rather than in lieu of, other taxes, and hence in excess of what the owners and operators of motor vehicles should be required to pay. This objection would seem to have more force if applied only to passenger cars, excluding trucks. Maryland has made provisions by which the gasoline tax may become practically a substitute for the motor vehicle license fees, only a nominal registration fee of one dollar being charged. Trucks, however, are to be taxed by an additional license fee varying according to weight. Other states will probably move in this direction in working out the application of the gasoline tax.[1]

THE RATE OF THE GASOLINE TAX

It will be seen by reference to the accompanying table on "Gasoline Tax"

[1] In writing this, liberal use has been made of the facts and figures contained in an article on "The Gasoline Tax" by James W. Martin of the University of Chicago, published in the Bulletin of the National Tax Association for December, 1923. Those who wish to read a more extended treatment of the subject are referred to this article.

that the rate of the tax at the present time varies from one cent to three cents on each gallon. It is interesting to note that most of the states adopting a gasoline tax before 1923 started with a rate of one cent on each gallon. But during the 1923 legislative sessions twelve of these states amended their gasoline tax laws so as to increase the rate, four of them from one cent to three cents, two from two cents to three cents, and six from one cent to two cents. The average rate is now about two cents on the gallon, and the indications are that it will be increased in the near future.

THE ADMINISTRATION AND COLLECTION OF THE TAX

As is indicated in the accompanying table, the administration of the gasoline tax is lodged in about a dozen different agencies among the thirty-six states having this tax. The most popular agencies are the state tax commission, the state auditor, the secretary of state, and the state comptroller. It would seem that the logical agency to administer this tax should be the department of the state government having supervision over tax matters.

Three-fourths of the states having a gasoline tax collect this tax from the importer or manufacturer. The other states collect the tax from the wholesaler or retailer. The former method is much more satisfactory than the latter, because it is easier to check up the reports and involves a smaller number of accounts. Where a state might have ten or a dozen accounts when collecting the tax from the importer or manufacturer, it would probably have several hundred accounts if it collected the tax from the wholesaler, and thousands if it collected from the retailer. Hence, the administration of the tax is much easier if it is collected on the first sale within the state, rather than on the last one before consumption.

All the states, except five, require dealers in gasoline and other motor fuels to report monthly. These dealers are usually given a period of from five to thirty days to report on a given month. Those states that require quarterly reports from the dealers allow from twenty to thirty days for the reports to be made out and sent in. Practically all states require remittances to be sent when the reports are submitted.

THE USE AND DISTRIBUTION OF THE TAX

As was pointed out in the beginning, the purpose of the gasoline tax is to supply funds for the construction and maintenance of public highways. However, not every state levying a gasoline tax has devoted it entirely to this purpose. North Dakota and Georgia place the entire amount of the tax collected in the general fund, to be appropriated for any purposes the legislature may see fit. Pennsylvania and Alabama credit one-half of the total tax collected to the general fund and distribute the remainder to the various counties. In the case of Pennsylvania, the additional cent recently added goes entirely to the general fund. Montana gives the general fund four-tenths of the total tax collected, the state highways two-tenths, and the county highways the remainder. New Mexico uses $15,000 for a state fish hatchery, and credits the balance to state highway construction and maintenance. South Carolina distributes equal amounts of the taxes collected to the general fund, to the maintenance of state highways and to county roads. Texas assigns one-fourth of the tax to the public school fund, because of constitutional requirements, and the balance goes to the state highways. The remaining

STATE GASOLINE TAXES

As of February 1, 1924

	State agency administering tax[1]	Tax collected from[1]	Use of tax[1]	Tax rate. Cents per gallon, Feb. 1, 1924	Registration of motor vehicles, July 1, 1923[2]	Estimated 1924 consumption in gallons	Estimated 1924 tax yield
1. Alabama	State tax commission	Wholesaler or retailer	General and road funds	2	98,992	41,972,608	$839,452
2. Arizona	Secretary of state	Importer or manufacturer	Roads—state	1	40,778	17,289,872	172,899
3. Arkansas[3]	State auditor	Importer or manufacturer	Roads—state and counties[4]	4	97,929	40,511,896	1,620,476
4. California	State tax commission	Importer or manufacturer	Roads—state and counties	2	1,000,000	424,000,000	8,480,000
5. Colorado	State oil inspector	Retailer	Roads—state and counties	2	167,562	71,046,288	1,420,926
6. Connecticut	Commissioner of motor vehicles	Importer or manufacturer	Roads—state	1	150,913	63,687,112	636,871
7. Delaware	State treasurer	Importer or manufacturer	Roads—state	2	26,300	11,151,200	223,024
8. District of Columbia	Assessor of taxes	Importer or manufacturer	General fund	2	.....	.....	.....
9. Florida	State comptroller	Importer or manufacturer	Roads—state and counties	3	135,893	57,618,632	1,728,559
10. Georgia	State comptroller	Importer or manufacturer	General fund	3	148,000	62,752,000	1,882,560
11. Idaho	Commissioner of law enforcement	Importer or manufacturer	Roads—state	2	53,367	11,954,208	239,084
12. Indiana	State auditor	Wholesaler or retailer	Roads—state and counties	2	482,678	204,655,472	4,093,109
13. Kentucky	State tax commission	Retailer	Roads—state	1	175,000	74,200,000	742,000
14. Louisiana	Supervisor of public accounts	Importer or manufacturer	Roads—state	1	110,000	46,640,000	466,400
15. Maine	State auditor	Importer or manufacturer	Roads—state	1	94,061	39,881,864	398,819
16. Maryland	State comptroller	Importer or manufacturer	Roads—state	2	157,346	66,714,704	1,334,294
17. Massachusetts[5]	State tax commissioner	Importer or manufacturer	Roads—state and counties	2	.....	.....	.....
18. Mississippi	State auditor	Wholesaler or retailer	Roads—state and counties	1	85,645	36,313,480	363,135
19. Montana	State board of equalization and state treasurer	Importer or manufacturer	General and road funds	2	63,950	27,114,800	542,296
20. Nevada	State tax commission	Importer or manufacturer	Roads—state and counties	2	12,766	5,412,784	108,256
21. New Hampshire	Commissioner of motor vehicles	Retailer	Roads—state	2	52,434	22,232,016	444,640
22. New Mexico	State auditor	Wholesaler or retailer	Fish hatchery and road funds	1	24,614	10,436,336	104,363
23. North Carolina	Secretary of state	Retailer	Roads—state	3	209,400	88,785,600	2,663,568
24. North Dakota	State tax commission	Importer or manufacturer	General fund	1	99,000	41,976,000	419,760
25. Oklahoma	State auditor	Next recipient after inspection	Roads—state	1	240,000	101,760,000	1,017,600
26. Oregon	Secretary of state	Importer or manufacturer	Roads—state	3	133,995	56,813,880	1,704,416
27. Pennsylvania	State auditor	Retailer	General and road funds	2[6]	922,062	390,954,288	7,819,086
28. South Carolina	State tax commission	Wholesaler or retailer	General and road funds	3	103,049	43,692,776	1,310,783
29. South Dakota	State auditor	Importer or manufacturer	Roads—state	2	120,031	50,993,144	1,019,863
30. Tennessee	Commissioner of finance and taxation	Importer or manufacturer	Roads—state	2	145,000	61,480,000	1,229,600
31. Texas	State comptroller	Importer or manufacturer	School and road funds	1	571,981	242,519,944	2,425,199
32. Utah	Secretary of state	Importer or manufacturer	Roads—state	2½	54,001	22,897,224	572,431
33. Vermont	Secretary of state	Importer or manufacturer	Roads—state	1	44,613	18,915,912	189,159
34. Virginia	Secretary of state	Importer or manufacturer	Roads—state and counties	3	185,076	78,472,224	2,354,167
35. Washington	Director of taxation and examination	Importer or manufacturer	Roads—state	2	224,567	95,216,408	1,904,328
36. West Virginia	State tax commission	Importer or manufacturer	Roads—state	2	126,531	53,649,144	1,072,983
37. Wyoming	State treasurer	Importer or manufacturer	Roads—counties	1	34,753	14,735,272	147,353
Total					6,392,287	2,698,447,088	$51,691,459

[1] Based on "The Gasoline Tax," by James W. Martin.
[2] Based on figures from Automotive Industries as published in *The New York Times* of November 29, 1923.
[3] Ten cents a gallon is levied also on cylinder oil.
[4] Part of county share is used for debt service.
[5] Law suspended pending referendum in 1925.
[6] Effective until July 1, 1925; after that one cent.

twenty-eight states devote the gasoline tax exclusively to highway purposes.

There is considerable diversity in the distribution of the gasoline tax for highway purposes in the thirty-six states. One-half of these states require the revenue from this tax for highway purposes to be expended under the direct supervision of the state highway department or commission. Usually the distribution is left to the discretion of the state highway officials, acting under the general provisions laid down by the legislature. Sometimes, it is provided that a certain proportion of the gasoline tax must be allotted to counties or to certain types of highway construction, as is the case in Oklahoma and Maine.

In nine states the revenue from the gasoline tax is divided between the state and the county agencies for road building. The basis of distribution, however, varies widely in these states. It may be a percentage of the total tax collected, as in Arkansas and Mississippi, where 25 per cent and 40 per cent, respectively, goes to the state highways and the remainder to the counties. It may be on the basis of a definite amount going to the state system and the remainder to the counties, as in Indiana and Nevada. It may be in the proportion which the mileage of the state highways within the county bears to the total mileage (Colorado), or the proportion which the number of motor vehicles registered in the county bears to the total number registered in the state (California), or in proportion to the amount contributed to the direct state tax on property by each county (Massachusetts).

EXEMPTIONS UNDER THE TAX

A number of the states specify that this tax is to apply only to gasoline and other motor fuels used to operate motor vehicles on the public highways. Under this arrangement gasoline and other volatile fluids used for such purposes as propelling boats, running stationary engines, and carrying on dry-cleaning processes, are exempt from taxation. The list of exemptions in some states, for example, Connecticut and Virginia, is quite extensive and entails considerable work in the administration of the tax. In fact, two-thirds of the states imposing a gasoline tax have allowed no exemptions. These states seem to regard the case of administration and collection as outweighing the few injustices that may result from the application of the tax to all gasoline sold. In those states that have granted exemption, the amount of the exemption is returned in the form of a refund rather than a remission of the tax in the first instance.

COURT DECISION WITH REFERENCE TO THE TAX

Several cases have already come before the state and federal courts on the constitutionality and other phases of the gasoline tax as applied in the various states. The constitutionality of the tax has been upheld in a number of cases.[2] Recently, a gasoline tax law enacted by the legislature of Louisiana under an authorization in the state constitution was declared by the court to be unconstitutional (*State* v. *Liberty Oil Co.*, 97 So. 438). The act referred to the tax as a license tax and required monthly payment of the tax, based upon the sales of the previous month,

[2] Some of these cases are: *Bowman, Attorney General* v. *Continental Oil Co.*, 41 Supreme 606; *Askren, Attorney General* v. *Continental Oil Co.*, 252 U. S. 444; *Texas Co.* v. *Brown*, 266 Federal 577; *Standard Oil Co.* v. *Graves*, 249 U. S. 389; *Altitude Oil Co.* v. *Colorado*, 202 Pacific 180; *Pierce Oil Corporation* v. *Hopkins et al.*, 282 Federal 253; *Standard Oil Co.* v. *Brodie et al.*, 239 Southwestern 753; and *Amos* v. *Gunn*, 94 Southern 615.

and prohibited dealers, under drastic penalties, from engaging in business, unless they paid the tax, notwithstanding, they might have paid a license under another act imposing a license tax upon oil dealers. This the court held was not in conformity with the state constitutional provision, since this provision provided for a sales tax, rather than a license tax on sales of gasoline.

The gasoline tax laws of several states provided that gasoline sold in the original package is not to be taxed. This seemed to be in harmony with the original package doctrine as laid down by the courts. However, the Supreme Court in a recent decision (*Sonneborn Brothers* v. *Keeling, Attorney General of Texas,* 43 Supreme Court Reported 643) ruled this to be an arbitrary distinction, and held that goods may be taxed, even though sold in the original package in which they came into the state, if imported from another state, provided the transaction clearly occurs within the state. Hence, these states may amend their gasoline tax laws so that sales in original packages may be taxed, if the transaction is clearly intrastate.

AGGREGATE REVENUE FROM GASOLINE TAX

It is difficult to estimate the annual yield of gasoline tax in the thirty-five states where it is now in operation. Some states have had the tax only a year, and other states have a new rate beginning with the year 1924. An estimate, however, has been made in the accompanying table on "Gasoline Tax," which shows a yield for 1924 of $51,691,000. The actual revenue will perhaps exceed this amount by four or five million dollars, since this estimate is based upon the 1923 registrations of motor vehicles.

THE MOTOR TRUCK IN OUR GREAT CITIES

The motor truck is a facility in transportation—one which is destined to play a large part in our completed transportation system. The following is from a recent release by a special committee appointed by the president of the U. S. Chamber of Commerce to study the relation of highways and motor transport to other transportation agencies. ::

In the terminal areas of our great cities, with their enormous concentration of population, our transportation system must perform four functions: (1) distribution of commodities, including food, clothing and other necessities, to the local population; (2) receipt and forwarding of goods in general commerce; (3) delivery of raw products to and collection of finished products from industries, and (4) interchange of freight between railroads (or between railroads and ships and barges). There is also the problem of the daily suburban passenger movement.

To fulfill their functions the railroads have had to build, all in or near the terminal area, yards for breaking up and making up trains, auxiliary yards for local switching, freight houses for receiving and delivering less-than-

carload freight, team tracks for receiving and delivering carload freight, interchange tracks and belt lines for transfer of cars, and a variety of special facilities to handle particular commodities. To meet the public demand and the competition of other railroads, they have built into the heart of the city as far as possible, frequently establishing many local stations in one terminal area.

The operations of the railroad in such a terminal area are complex and costly. It is the delays here that virtually limit the capacity of the railroad as a transportation facility. It has been shown that an average trip of a freight car occupies 14.9 days, and that of such time the car is actually moving or delayed on the road in line haul only 1.64 days, and that during nearly nine-tenths of the total time the car is moving or standing within terminal areas.

PRESENT CONDITIONS AND PRACTICES

Two general classes of freight are moved by the railroad—carload and less than carload (l. c. l.). The two differ in three particulars:

1. Carload freight is loaded into and unloaded from freight cars by the trader or the trucker whom he employs, while l. c. l. freight is loaded and unloaded by the railroad employees.

2. Carload freight does not pass through a freight station, but is loaded and unloaded at the trader's expense on public team tracks or private tracks of industries. L. c. l. freight is loaded and unloaded over a station platform at the expense of the carrier. In most instances these freight stations are located on high-priced property in the congested areas of large cities.

3. L. c. l. rates are higher than carload rates because l. c. l. cars are seldom, if ever, loaded to anything like their tonnage capacity with this character of freight, and because of the heavy station expense incident to its handling.

The prevailing practice is to notify the consignee of the arrival of l. c. l. freight after it has been unloaded in the freight house, or the cars containing carload freight have been placed on the team or industry tracks. The railroads give the consignee an allowance of 48 hours free time for the loading and unloading of carload freight and for the removal of l. c. l. freight from the freight stations. Partly because of unorganized cartage methods and inadequate storage facilities and partly because many goods are sold after arrival at the terminal, a large proportion of the consignees take full advantage of the free time allowance, so that carload shipments on the average remain on the team tracks in excess of two days and inbound l. c. l. shipments remain in the freight houses an average of three days.

Failure to load and unload cars promptly at industries and team tracks ties up a large amount of the railroad equipment that could otherwise be moving freight. Failure to remove the l. c. l. freight from the freight houses often results in such congestion that the equipment is held up and moreover causes a piling up of goods in the freight houses, with great resultant delay and confusion in locating and removing shipments, and a general slowing down of the entire freight-house operation. The tendency of shippers to dump their outbound goods upon the freight house at the last moment produces the same effect. This in turn increases cartage inefficiency and costs by delaying the trader's vehicles.

Another practice involving wasteful use of cars and contributing to congestion is that of industries that have sidings loading l. c. l. freight into

"trap cars." Such cars, generally loaded to only a small part of their capacity, have to be switched to a transfer platform in the break-up yard or elsewhere, where the freight has to be rehandled by the railroad and consolidated into cars for the line haul. The railroads themselves also make a similar use of cars for interchange of l. c. l. freight, and in some cities for movement between local freight houses and general assembly and distribution stations.

The general demand for more and better rail transportation is insistent, and the railroads are confronted by a serious dilemma. They must either add to their present terminal facilities or find a way to pass more freight through them. Enlargement or multiplication of terminal stations and team tracks in important terminal areas is practically impossible because of prohibitive cost, objection of municipalities to the expansion of railroad holdings in congested areas, and furthermore the additional traffic congestion that would result from greater centralization of cartage operations in such areas.

HOW THE MOTOR TRUCK CAN SERVE

There are three principal directions in which the motor truck can serve to relieve the terminal situation:

1. By organized cartage instead of the present go-as-you-please methods of receipt and delivery at the rail terminal; further than this, by store-door delivery, which is the real completed transportation.

2. By substitution of motor service for a part of the rail service. This would cover trap car l. c. l. freight service to industries and, in large measure, similar movement in interchange and between local stations.

3. By complete elimination of certain rail service. This would cover intraterminal movement, such as movement between industries or different plants of the same industry within the terminal area, which would then be handled by motor truck.

STORE-DOOR SERVICE

A well-organized system of store-door delivery by motor truck would be perhaps the greatest contribution to the solution of the terminal problem.

In organizing such a system, two objects, not only desirable but fundamental, must constantly be borne in mind:

1. Better service to the trader, without increased cost.

2. Economy to the carriers, this object being of vital importance because of its bearing on any future rate reductions.

At a large city, where the terminals are complicated, inbound l. c. l. freight should be delivered to the address of the consignee and outbound l. c. l. freight should be collected from the consignor by the cartage organization at a reasonable charge plus the freight rate, and in full co-operation with all rail and water carriers serving that city. Regarding the routing of freight over the various lines, some arrangement would have to be made for a fair and equitable distribution of the traffic so as to give the best service. Such a plan would involve co-operation by the cartage organizations, the carriers and the traders, and would produce the following results:

1. Inbound l. c. l. freight would be delivered promptly upon arrival. It should be arranged to dispatch the bulk of the inbound traffic from the stations as is done at English and Canadian freight stations. The delays arising under the present system of notifying consignee and holding goods until called for could thus be avoided.

2. The rail haul could begin or end

at an outlying station, readily accessible to highway vehicles, thus avoiding the delay and expense of moving cars or freight through the terminal to some l. c. l. freight station in the congested district. It is clear that so long as the freight is collected or delivered at the door of the trader, shipper or consignee, it does not matter to him at what point it is transferred from rail to truck or from truck to rail.

3. The railroads would be relieved of the necessity of maintaining expensive l. c. l. freight stations in the heart of the busy, and generally congested, business districts.

4. Street congestion would be reduced.

5. Shipments moving between large cities could be consolidated into fewer cars, thereby avoiding transfers and increasing the average lading of merchandise cars.

Careful consideration of these results will be convincing as to the tremendous benefits to be gained by the organization of a system of store-door delivery; but it is only fair to state that there will be objections from the traders and from the railroads, because of concessions which will be required from each.

At every city of importance, some railroads have decided advantages over others, in location and facilities, for the handling of l. c. l. traffic, and a serious objection to relinquishing such advantages will be offered by those railroad managers who do not realize that, under present methods, they are carrying l. c. l. freight to and from such cities at an actual loss. If careful analysis were made of the expenses incident to the handling of l. c. l. traffic by the railroads in large terminal areas, and if this traffic were charged with all of the expenses which are incurred solely by reason of it, these railroad managers would cease to compete for its carriage and would welcome any co-operative action that would reduce such expenses. The great economy in improved service, reduction of transportation cost, release of equipment, relief of terminals, prevention of loss and damage, and reduction in street congestion should control and force adoption of the system which would produce these results.

Because of the great number of people engaged in transportation, store-door service, although simple in operation, would have to be put into effect gradually, in order to educate the shipping public as well as the transportation employees and to avoid confusion:

(a) By the organization of a company or companies adequately equipped to perform the service;

(b) By helpful action on the part of the railroads to encourage the utilization of this complete system of transportation; and

(c) By co-operation of the traders in giving this service a full and fair trial.

Store-door delivery of carload freight would be limited to that which is delivered on public team tracks for industries which have no track connections, or at pier stations. The free time allowed to traders for loading and unloading carload freight on team tracks causes more delay to cars than is caused by the l. c. l. freight which passes through stations. Very effective arguments can be made in favor of store-door delivery of team track freight. It is therefore recommended that store-door delivery of team track carload traffic be included in the arrangements from the outset.

STORAGE

Railroad companies are organized for transportation and not for storage. In this country the railroads are

furnishing storage in cars and stations for an enormous volume of freight, and most of the storage is free of charge to the trader.

Upon the railroads rests the obligation for prompt and regular service in the placement of cars for loading and unloading. Occasionally what ought to be daily movements of cars are bunched and the trader is notified of the arrival of several cars on one day, when he has ordered and arranged to load or unload one car on each of several days. There are also instances of delay in placing cars on team tracks after they arrive in congested terminals. These instances, however, are few compared with the whole number of cars placed on team tracks daily.

The trader cannot always accept his freight immediately upon its arrival within the terminal area, and for the freight which he cannot so receive storage facilities must be furnished, but they should be furnished elsewhere than in railroad cars or terminal stations. Public warehouses should be established at or near each industrial center within a terminal area, and when a trader is not prepared to accept his freight on arrival it should be carted to the warehouse nearest his industry and stored at his expense to await his convenience. Also it should be definitely arranged that where goods are delivered to a trader's store door and acceptance is refused, the cartage cost in both directions will be charged to him.

EFFECT ON STREET CONGESTION

Under the prevailing system of miscellaneous cartage which, with very few exceptions, is in use in all terminal areas in the United States, each trader sends to the terminal station his own or a hired vehicle to deliver or receive his particular freight. As a consequence, the streets leading to the terminal station are burdened with innumerable trucks and wagons containing only partial loads. The greater number of these vehicles are drawn by horses and contribute to the congestion far more than would the same number of motor trucks.

The substitution of an organized trucking system for the miscellaneous haphazard service now employed for station work would greatly increase the load efficiency of vehicles, thus reducing the number on the streets. It would speed up street traffic and reduce the danger to pedestrians.

EFFECT ON LOCATION OF STATIONS

Another distinct advantage which would follow from the establishment of organized collection and delivery would be the shifting of the loading and unloading of a large proportion of the freight cars from the present terminal freight stations and team tracks, in the most congested parts of the terminal area, to locations outside of the congested districts and on cheaper ground. Because, under present conditions of unorganized cartage, the trader is obliged to furnish his own cartage, he naturally wants to have his freight accepted or delivered at the station or team track which is nearest to his industry. At such new location, adequate stations and team tracks could be furnished.

FREIGHT INTERCHANGE BETWEEN RAILROADS AND SUBSTATION SERVICE

Notwithstanding the fact that, as rail terminals are now operated, the existing terminal facilities and car supply are admittedly inadequate for the accommodation of the traffic requirements, the railroads, at nearly all terminal centers, are using freight cars for the interchange of l. c. l. freight, The use of cars for this service not only seriously delays the traffic, but

the practice adds to the congestion of the terminals. At one large terminal center three days is the average time consumed in such interstation movement; while at another, such movement is handled by automotive equipment, with the result that 95 per cent of the freight so moved is delivered to the forwarding line on the same day it is unloaded from cars by the receiving line.

In some cases, railroads have built substations outside of the congested district. At such substations l. c. l. freight is concentrated, unloaded and rehandled for distribution in cars to various stations, of which some are their own stations located in the business section and others are the stations of connecting lines. It has been proved, by several years of successful experience in Cincinnati and St. Louis, that instead of reloading this freight in cars, it should be handled by automotive equipment, to afford relief to the terminals and release cars for more profitable service. Unquestionably prohibition of the use of cars for this character of service would increase car supply and the capacity of existing terminals.

The substitution of motor trucks for freight cars in interchange and substation service would be accomplished most efficiently and economically by embracing this service within the scope of the activities of the organization which would furnish store-door collection and delivery.

TRAP-CAR SERVICE TO INDUSTRIES

What has been said regarding the use of freight cars in interchange and substation service would apply with equal force to "trap car" service to industries.

This service is one of the special privileges of the large trader, and is recognized by the railroads as unprofitable. Its discontinuance has often been proposed by them, not only because of its unprofitableness and its effect of increasing terminal congestion, but also because it gives to the trader who enjoys the private side track what is equivalent to free store-door collection of l. c. l. freight—an advantage not enjoyed by the traders having no direct rail connections.

A legal remedy for this practice lies with the Interstate Commerce Commission, which, in the public interest, should require the railroads either to discontinue performing service of this character or to charge for it rates commensurate with its cost.

SHORT MOVEMENTS OF L. C. L. FREIGHT

There is another class of intra-terminal movements, namely, the local movement of freight between different industries or different plants of the same industry within the terminal area and between terminal cities and their suburbs.

A recent count by the railroads at New York, covering ten consecutive days in May, 1923, showed that 893 freight cars were engaged daily in short local movements within the lighterage district of New York. A large number of cars must also be engaged in moving freight between any large city and its nearby suburbs.

All such short movements of freight should be made by motor truck, which would be quicker and less expensive than by rail and would release for line haul a very large number of box cars.

The best available information indicates that such short movements of freight by rail are performed at an actual loss to the railroads, as the rates which they are allowed to charge are wholly inadequate to cover the expenses properly chargeable to this service over their most expensive property. Moreover, with the shortage of transportation facilities, it is

wasteful in the extreme to use railroad equipment in this legitimate field of the motor truck. On the other hand, if truck service were properly organized, so that the trucker would have high load efficiency in each direction, the complete transportation of freight by truck within city and suburban areas could be furnished at reasonable rates which would be profitable to the trucker.

It is recommended that all such movements of freight be handled exclusively by trucks and that the railroads cancel their tariffs covering them and exclude such traffic from their stations. Already the trucks are handling a large volume of this traffic, for which they are furnishing a store-door service, and they are making deliveries within a few hours as compared with several days required by the railroads to perform only part of the transportation. In any event, the trucks must move the freight to the receiving stations and remove it from the delivering stations; they might better carry it all the way.

TWO VIEWS ON THE FINANCING OF STREET IMPROVEMENTS

I. A SOUND POLICY FOR FINANCING STREET PAVEMENTS [1]

BY J. E. PENNYBACKER

General Manager, The Asphalt Association

THERE are eight questions in connection with the financing of city paving which appear to me to be of sufficient importance to engage the attention of this conference.

STATE AID ON CITY THOROUGHFARES

First, state aid to those city thoroughfares which logically form a part of through routes on state and federal aid highways. So far as the flow of traffic is concerned the boundary lines of municipalities are wholly imaginary. The same traffic which comes up to the municipal boundary on one side winds its way deviously through the city and picks up the route on the far side, and for this reason it would seem in the interest of equity and economy that such routes through the cities should be partly financed from the same sources as finance the highways to the city boundaries. This financing would carry with it more intelligent routing and roadside marking, and the result would be less congestion in city traffic and immense saving in time and comfort to the through travelers.

INEQUITY OF ASSESSING PAVING COST ON ABUTTING PROPERTY

Second, a serious inquiry into the economic justification of assessing the cost of paving on abutting property. I am not prepared to say that this policy is wholly wrong, but I wish to point out certain weaknesses which have caught my attention. One of these is the extent of the financial burden imposed

[1] Address at the Twenty-Ninth Annual Meeting of the National Municipal League, Washington, D. C., November 16, 1923.

upon the abutting property owner. He pays his proportion of the cost of the pavement on the ground that it improves the value of his property. If this improvement does take place the assessor comes along and assesses the property at the higher valuation, and he pays the regular city rate on the increased valuation. Does not this appear to be charging him twice for the value which the pavement adds to his property? In the second place, there are many cities where the funds can only be raised under this method by the issuance of a bond or other obligation of the abutting property owners. These obligations do not have a consistently good market and it frequently happens that they are sold at a very heavy discount, with the net result that the cost of the pavement is thereby very greatly increased with no corresponding advantage either to the city or to the abutting property owner. Moreover, in a season when there is plenty of paving work to do, the best equipped contractors are not inclined to seek paving jobs thus financed, as they are frequently called upon to help in marketing the securities. Finally, the burden appears in the eyes of the abutting property owners to be so onerous as very often to result in a compromise whereby an inadequate pavement is laid which must ultimately be more costly than had the matter been handled right in the first place. I am personally inclined to believe that by an intelligent co-ordination of the engineering and finance departments of the city the just burden to rest upon the abutting property owners should be taken care of in the assessed valuation with the resultant justice to the property owner, the saving in the marketing of the necessary securities and the more efficient handling of the engineering features which would be insured by thus keeping the engineering department a little farther away from the property owners. I hardly think it necessary to outline here a detailed plan, but the operation would seem to me to follow about this course. A certain street is considered for improvement. The assessor's department thereupon makes a valuation study in conjunction with the engineering department and fixes the tentative value to abutting property and the approximate increased annual tax yield to the city at the prevailing rate on the increase in valuation. This revenue is then capitalized to determine the justifiable outlay measured in benefit to abutting property alone. If benefits to the city as a whole are involved, the justifiable outlay is correspondingly larger but with no additional burden on the abutting property. Securities are thereupon issued by the city as a whole, or the expense is met from current funds as may be best adapted to each municipality involved.

TAXPAYERS NOT TO DECIDE TYPES OF PAVEMENT

Third, the restoration to the engineering department of those engineering functions which are now too frequently exercised by the taxpayers. The examples are numerous in all parts of the country of local property owners either deciding for themselves the type of pavement which will best serve their needs, or petitioning in such a manner that the petition becomes authoritative, thus depriving the engineer of the exercise of those functions for which he has been especially trained. It may sound strange for the representative of a road material industry to urge the elimination of a policy which has so often worked to the advantage of those who have material to sell. I believe, however, that the policy is unsound and that in consequence both the paving industry and the taxpayers

must suffer in the long run. I think you will find upon inquiry that the taxpayers have been induced to petition against their own interest to an amazing degree. They have asked for extravagant pavements and materials for inadequate types, for wholly unsuitable types, and all because they are undertaking to decide a question which can only be decided by the highly trained and competent engineer who not only has his own theoretical and practical knowledge but has before him all of the factors which should influence the selection of the pavement for a given need.

BASIS FOR DETERMINING OUTLAY FOR PAVING

Fourth, the establishment of a rational economic basis for determining the justifiable outlay for paving a given street. Just at this point I wish to direct your attention to a policy which has been ably developed in connection with the improvement of country highways by Mr. Charles M. Upham, state highway engineer of North Carolina. This policy calls for progressive paving by which the improvement is made in successive stages as the traffic needs and the financial facilities permit, progressing thus from an earth road through the various degrees of surface improvements until the highest type is applied, thus utilizing to the fullest extent the values previously credited. Applied to cities this would mean, first, thorough grading, the installation of drainage structures and the application of a relatively inexpensive surface such as sand-clay, gravel or crushed stone, these surfaces to be oiled where necessary and these improvements to be followed at a later date with additional stone or gravel in combination with a bituminous material in a higher type than mere surface treatment. Finally, as the traffic needs of the city increase, the old pavement could be fully utilized as a foundation for a modern sheet asphalt, asphaltic concrete, brick, concrete or other surface as might be determined to be most suitable. Necessarily, such a policy would involve careful attention to grade lines with an allowance for the ultimate thickness of the pavement so as to coincide with the grade lines of gutters, curbs, street car tracks and other features. A careful ascertainment of the economic value of a given street to the city as a whole and to the individual property owners could be co-ordinated with this progressive development of paving types.

This brings us to a consideration also of the problem of resurfacing. Mr. W. A. Bassett, in an able article in the *Engineering News-Record* of September 16, 1920, called attention to the fact that in the larger cities the repaving of existing streets is a much more important problem than new paving. This grows in importance with the increasing growth of traffic, and the problem of carrying on the resurfacing with the least possible interruption to traffic becomes almost of vital concern. It would seem that the larger cities at least should in the interest of economy and safety provide an adequate engineering appropriation to permit of a comprehensive planning of resurfacing in the congested areas so that the work could be co-ordinated into a definite program with a view to meeting traffic conditions, engineering problems involved and the necessary financing measures. The idea of picking out here and there a street for resurfacing as isolated appropriations become available is costly and inadequate. I believe an economic basis for a resurfacing program can only be established through such a planning provision. Aside from the consideration of progressive paving types and the resurfacing of existing pavements, there should be developed a system for

measuring as accurately as practicable the economic importance of each thoroughfare and the consequent justifiable outlay for improvement.

The problem of measuring the dollars and cents value of country highways is much simplified by the gasoline tax. It is now a fairly simple matter to ascertain the approximate number of gallons of gasoline consumed annually by the vehicles on a given mile of road and the consequent revenue to the state through the medium of the gasoline tax. To this tax can be added a proportionate revenue from automobile license funds and the whole can be capitalized to determine the earning capacity of the highway. There is no fundamental difference which would prevent the application of the same method to the measurement of the economic value of a street. The main purpose of a thoroughfare is to provide an avenue over which traffic may move with comfort, economy and safety. The revenue which the traffic units yield to the administrative control, therefore, should appropriately be the measure of outlay which may be made for the improvement of the thoroughfare. At the same time we must not overlook the fact that city streets serve other than traffic needs to a much greater extent than do country highways. Fire protection, access to schools, the elimination of dust damage to valuable abutting property, the reducing of noise in the vicinity of hospitals and beautification of attractive areas are all considerations which tend to influence any generalization as to the economic value of a pavement. Great satisfaction to the taxpayers and to the management of cities would accrue from the knowledge that there is on record a justification for each improvement in the form of economic data showing the earning power of the thoroughfare in public revenue.

LIFE OF PAVEMENT VERSUS TERM OF BONDS

Fifth, the economic consideration of the relation of the design of the pavement to the life of the bonds. There has been a good deal in the development of our highway policy which has led us on the one hand to run to an extreme in the long life of bonds, and in a reaction to fix the life of the bonds at approximately the life of the pavement, with the result that in the first case the debt has outlasted the utility, and in the second case the bonds have been paid off when a considerable percentage of the improvement remained intact. This has been due, I think, to a failure to segregate the elements which enter into each paving project. These elements are three in number: namely, (a) grading and structures; (b) foundation; (c) wearing course or surface. It must be evident that when a thoroughfare is properly graded and the necessary bridges, culverts, drain pipes and ditches are constructed, a reasonably permanent improvement has been made. Then when a foundation is laid, which is the practice in practically all city work, this foundation has a durability less than that of the grading and structures element but greater than that of the wearing course. Finally the wearing course may be repaired or renewed without disturbance of the first two elements. It would seem to be economically sound that the proportionate cost of these three elements should be ascertained and a period of years be allotted to each in accordance with their probable durability and these periods weighted in proportion to the cost of each element. In this way a composite term of years would be derived which would permit an intelligent fixing of the life of the securities to be issued. In passing I might call your attention to this

manifest advantage of the two-course type of pavement from a financial standpoint as it practically confines future outlays to a renewal of the wearing course rather than to a replacement of the entire structure.

So much has been said of the iniquities of the sinking fund bond and of the advantages of the serial bond that I shall not weary you with going over familiar ground. It seems to me a self-evident proposition that paying off each year a certain proportion of 5 per cent bonds rather than investing the money to earn only $3\frac{1}{2}$ per cent in a sinking fund is sound business to say nothing of the elimination of the risk incident to the handling of sinking funds. I might also urge the importance of issuing of paving bonds as distinct obligations apart from any other city enterprises.

CLASSIFICATION OF STREET EXPENDITURES

Sixth, the clarification of the meaning of such important terms as construction, maintenance and resurfacing so as to permit of an intelligent measurement of outlay under each of these headings for any given improvement and to permit of a more equitable apportionment of the cost burden. I doubt if you can find three cities whose records compare as to the items which are properly included under these respective headings. The result is so to cloud the records as to make it difficult to determine whether a given pavement has been excessively costly in maintenance and upkeep or as to whether a given improvement should be regarded as a new pavement or properly within the maintenance appropriation. Not only does this confusion prevail, but under city ordinances which assess new construction on the abutting property owners, while the city as a whole takes care of maintenance and resurfacing, positive injustice results to the property owners who in one case pay the cost of new construction, while the property owners on another street under the guise of a resurfacing proposition are relieved of any financial burden. I believe that the cities should jointly work out a standard classification of expenditures which should be officially adopted and lived up to.

SALARIES OF CITY ENGINEERS

Seventh, the considerations of the law of supply and demand as it relates to the employment of engineers in charge of important city work. It may seem to be a rehashing of a much discussed question to refer to the salaries in city engineering departments, but the situation is in a measure different from that which concerns municipal salaries generally. The paving engineer is a specially trained man and he is worth what his services will bring in the market. If the city crystallizes its fiscal policy so that the engineer's salary is as unchangeable as the laws of the Medes and Persians, it follows that in a great many cases the engineer will leave the service of the city and go into producing and contracting organizations which have a keener appreciation of his work. It therefore becomes not merely a question of justice to the individual, but of common sense and economics to place the salaries of the city's engineering department on a basis which will permit it to compete with outside industry in order to obtain the best engineering skill for its work.

ECONOMIC FACTORS IN STREET IMPROVEMENTS

Eighth and finally, the co-ordination of the economic factors which are involved in every street improvement. It is quite usual to see newly completed pavements torn up at frequent

intervals on account of some underground service such as call for gas mains, electric light and power lines, water mains and others in a similar category. It may be impracticable to make much change in existing methods in the case of streets which have already been paved, but certainly where a new paving project is involved or where resurfacing is contemplated a comprehensive plan should be worked out looking to the reduction of these destructive practices to a minimum. The relation of the type of paving to the economic welfare of the city might be considered under this heading, such, for example, as the effect of the type or design of pavement upon interruption to traffic. Consider for a moment the serious interruption to the business of a great city incident to the closing of the main thoroughfares to traffic with consequent detours and the shutting off of important business enterprises from the full access of their patrons.

I might, if time permitted, cite other problems which are involved in the financing of a city paving program, but I have confined myself to those which appear to me to be very real and which are capable of intelligent handling.

In presenting these questions I do not mean you to infer that the faults which I have mentioned are common to all of the cities, or that the remedies that I have indicated have been overlooked. There is nothing new under the sun, and I am not taking any particular credit to myself for suggesting something new. The chief merit, if any, which this paper might possess is that it directs your thoughtful attention to questions of important concern.

II. FINANCING STREET IMPROVEMENTS BY MEANS OF SPECIAL ASSESSMENTS

BY LUTHER GULICK

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Mr. Pennybacker's paper on "Financing Street Pavements" is one of the clearest and soundest statements of accepted standards of highway financing which has been presented to any conference. This was to be expected, because Mr. Pennybacker speaks from wide first-hand knowledge of present American practice and from many years of thought on this particular problem.

THE PENNYBACKER PLAN

Mr. Pennybacker puts forward eight basic propositions. The points he has chosen to emphasize and the clean-cut manner in which he has treated each point leave little to be desired. There is, however, one important proposition on which many will part company with Mr. Pennybacker. This is point number two, dealing with special assessments. In this division of his paper, it is suggested that special assessments be abandoned as a means of financing improvements and that general municipal revenues or bond funds be used instead. While Mr. Pennybacker makes a number of perfectly valid minor criticisms of present special assessment practices and procedure, his proposition rests upon a single fundamental idea which, if sound, makes untenable the entire theory of special assessments. This

basic idea is that the property owner pays for his improvement twice under the system of special assessments; once when he pays the special assessment and again, when he pays the general property tax on the increased valuation of his property due to the improvement. It is the purpose of this comment to examine this hypothesis.

CONCRETE ILLUSTRATION

It is always easier to think of these matters in concrete terms. Let us, therefore, assume that there are four property owners, A, B, C and D. We will say that A, B and C each own $10,000 homes, while D's property is valued at $11,000. A lives on a street which is subsequently improved. He is assessed $1,000 for benefit. With this benefit, the value of his property now goes to $11,000. B builds a garage on his place, bringing up the value of his home to $11,000 also. C's property remains at $10,000 and D's at $11,000. We will assume that the general property tax rate stands still at 2 per cent. When the tax gatherer comes around, after the assessor has made his new assessments, he finds that A, B and D are each listed at $11,000 and owe $220, while C is taxed for $200.

Under present systems of local taxation, these taxes go into the general funds of the city to pay for the general services rendered to all the citizens. A and B are asked to pay a tax increase of $20 each; A, because the value of his place has gone up as a result of the local improvement, and B because the value of his place has gone up as a result of the new garage. A is required also to pay his special assessment of $1,000, or such part of it as may be due during the year in question.

Under Mr. Pennybacker's plan the taxes for B, C and D would be the same as under the present system. The only difference occurs in the case of A. He is relieved of the $1,000 special assessment. His tax remains at the old figure $200, while he is called upon to pay an additional $20 due to the increase in his valuation. This $20 is not a part of the general funds of the city. It is to be considered as a special payment to amortize the city's investment in the improvement. Under the Pennybacker plan, A pays less taxes for the general support of the government than B or D, whose properties have the same market value as his, and the same taxes as D, whose investment is $1,000 less. This is in violation of the fundamental idea underlying the general property tax.

PROPERTY TAX THEORY

The general property tax theory is that the general burden of financing the government is to be distributed to individuals in proportion to the value of their property. It makes no difference how a piece of property acquired its value, whether it is due to the growth of population, the discovery of oil, the building of a house or the paving of a street, that value is used to measure the share of the total general tax burden which it must bear. It follows, therefore, that every dollar collected through the general tax levy belongs to the general funds and cannot be considered as assignable to special funds to be spent for the benefit of special individuals.

In the case of a special assessment the government makes a local improvement for a group of property owners, primarily for their direct personal benefit. The improvement enhances the market value of their property. In some cases the property owners might have made the improvement themselves. But in any case, they should pay their legitimate share of the costs. This payment has nothing to do, how-

ever, with subsequent tax payments. It is on the same footing as other payments which improve property. The fact that it was made to the government has no significance; lands bought from the government, as at tax sales or when public properties are sold, are of course subject to taxation as soon as they become private property.

PRACTICAL DIFFICULTY

There is a further practical difficulty in Mr. Pennybacker's plan. He proposes in effect that the tax collected on the increased valuation resulting from the local improvement be used to amortize the cost of that improvement. The practical difficulty is that this never will amortize the improvement; it will not even pay the carrying charges. In the case of A above, the cost of the improvement and the benefit chargeable to him was $1,000. Assuming that the city can borrow the money for this construction at 4 per cent, the annual carrying charges would be $40. Under the 2 per cent tax rate assumed, A would pay $20 additional in taxes each year, or only one half of the interest charges alone, to say nothing of amortizing the principal. Until tax rates on a full valuation are as high as interest rates on municipal borrowings, the tax on the increment will fall short of the annual carrying charges.

Where the improvement is made from current funds, the situation is no different, unless you take the position that the city is not entitled to interest on its advance. Though such a position is hardly tenable, it may still be pointed out that, with a tax rate of 2 per cent, it would take fifty years to pay the capital value of an improvement, which is somewhat longer than most street improvements endure. Even if the payments are compounded at 4 per cent, it would require twenty-eight years—and it should be pointed out that it is inconsistent to credit this account with compound interest when you do not charge it with interest at all.

SUMMARY

In conclusion it may be said, therefore, that in the writer's judgment, the plan to abandon special assessments and to finance improvements from increased taxation due to the increase in value as a result of local improvements is theoretically unsound and practically unworkable. It will not produce the necessary funds nor will it impose any special burden upon property specially benefited by a local improvement.

OUR LEGISLATIVE MILLS

IX. THE SINGLE-CHAMBER LEGISLATURE OF MANITOBA

BY ARCH B. CLARK
University of Manitoba

This article is further evidence that we can study with profit the legislative organization and procedure of the Canadian Provinces.

MANITOBA was created a province of the Dominion by Act of the Parliament of Canada in 1870. By this act, the legislative power was vested in two chambers: (1) a legislative council of seven members—to be increased after four years to not more than twelve—nominated by the governor-general in council, that is in effect by the cabinet at Ottawa, and (2) a legislative assembly elected by popular suffrage.

The legislative council, however, was soon attacked, and was finally abolished by Provincial Act in 1876; and since then in Manitoba, as in all other Canadian provinces, with the exception of Quebec and Nova Scotia, the legislature has comprised one chamber only.

The legislative assembly, consisting at present of fifty-five members, is elected for a term of five years, unless sooner dissolved by the lieutenant-governor at the request of the provincial cabinet; and it has full power to make laws concerning the local affairs of the province. As in all other Canadian legislatures, the members are paid a "sessional indemnity," the present sum being $1,500. There is a very general opinion that, in view of the present population of something over 610,000, the number of members is excessive.

PROVINCIAL LEGISLATIVE POWERS

The exclusive legislative power granted to the Canadian provinces by section 92 of the British North America Act embraces sixteen enumerated classes of subjects, fifteen being specifically mentioned and the sixteenth consisting of the residue of "generally all matters of a merely local or private nature in the Province." Amongst the subjects specifically assigned to the provincial legislatures are several of the very first importance, including direct taxation within the province for the raising of a revenue for provincial purposes, the borrowing of money on the sole credit of the province, municipal institutions, property and civil rights, the administration of justice, and the amendment from time to time of the constitution of the province, "except as regards the office of Lieutenant-Governor." Section 93 adds to the list exclusive authority to make laws relating to education in the province.

The Manitoba legislature has several times made use of its authority to amend the constitution. Thus in 1876, as already noticed, it abolished the legislative council; in 1890 it abolished the official status of the French language; in 1908 it extended its term of office from four years to five; and in 1916 it took the lead in Canada in extending the franchise to women, thus establishing adult suffrage.

The power of a provincial legislature to amend the constitution of the province does not, however, extend to the handing over of its legislative authority

to the electorate by means of the initiative and referendum. The latter in itself, indeed, amounts to nothing more than legislation conditional on approval by popular vote—a general application of the principle of local veto. But the initiative actually supersedes the deliberative function of the legislature. For this reason, and also because it would have vitally affected the office of the lieutenant-governor, the Manitoba "Initiative and Referendum Act," 1916, was declared unconstitutional by the courts of Manitoba and also by the judicial committee of the privy council. The mode of procedure outlined in that act has, however, been practically followed in repeated referenda on the liquor law of the province.

RELATION BETWEEN PROVINCIAL AND DOMINION GOVERNMENTS

Here it should be noted that there is an important distinction between the relation of the provincial government to the dominion government in Canada and that of the state government to the federal government in the United States. The powers of the federal government in the latter are limited to those enumerated in the constitution, all others being left to the state governments. In Canada, on the other hand, the powers of the provincial governments are limited to those assigned to them by section 92 of the British North America Act, 1867, including, however, as we have seen, a residuary power in respect of all matters of merely local or private provincial concern. All powers outside this category are left to the dominion government.

Twenty-nine different classes of subjects are enumerated in section 91 as being matters over which the Parliament of Canada has exclusive legislative authority. They are specifically mentioned "for greater certainty but not so as to restrict the generality" of the power granted to the dominion parliament "to make laws for the peace, order and good government of Canada in relation to all matters not coming within the classes of subjects by this Act assigned exclusively to the Legislatures of the Provinces."

It thus appears that in Canada, while the powers of the dominion parliament are much more comprehensive than those of the provincial legislature, they yet exercise co-ordinate authority, each being sovereign within the sphere of its proper jurisdiction as defined by the constitution, and the two together cover the whole field of legislation bearing on the internal affairs of Canada. The dominion parliament has no authority to legislate on matters of merely provincial concern. But where a matter purely provincial in its origin comes to affect the interest of other provinces, or of the dominion as a whole, the Parliament of Canada has the right to legislate, and, if necessary, override provincial legislation.

No clear-cut line of division exists in nature, and no hard and fast distinction, therefore, can be drawn, between matters of national and those of merely provincial interest. This is expressly recognized in the cases of agriculture and immigration, the only subjects over which the dominion and the province enjoy, under the written constitution, concurrent powers of legislation. In practice, however, there are other subjects such as the liquor traffic which, in different aspects, fall within both the dominion and the provincial fields, and on which concurrent legislative authority actually is recognized.

There is, moreover, considerable overlapping between the classes of subjects expressly assigned to the dominion parliament and those placed under the exclusive authority of the provincial legislature. Where such overlapping occurs, and wherever concurrent legis-

lation actually exists, the dominion law prevails in the case of a conflict. But it may not invade the proper sphere of the province. Thus, for example, the exclusive authority of the dominion to raise money by any mode or system of taxation cannot invalidate the equally exclusive authority of the province to levy direct taxation for provincial revenue purposes.

There are, however, always debatable marginal cases, and the act which is the basis of the Canadian constitution recognizes this in the general terms in which residuary powers are assigned to the province and the dominion respectively. The courts are left to interpret these terms in their specific application to concrete cases as they arise, sections 91 and 92 of the B. N. A. Act being read together and each interpreted in the light of the other. The exclusive authority of the dominion parliament in the regulation of trade and commerce, for example, has been held not inconsistent with provincial legislation to secure uniform conditions in fire insurance policies. Thus the act has been supplemented by a growing body of case law by which constitutional development is gradually adjusted to and keeps pace with the needs of society.

THE DOMINION POWER OF DISALLOWANCE

The governor-general in council, or, in other words, the dominion government, has also the power to disallow provincial enactments deemed inimical to the general interest of the dominion, provided that this power is exercised within one year of receipt of any such act from the lieutenant-governor of the province.

In the early years of the province, three acts of the Manitoba legislature were disallowed by the governor-general in council, on the ground that they were inexpedient, unjust or interfered with private property rights. At that time the theory prevailing at Ottawa seems to have been that the provincial legislatures were merely "big county councils"—municipal agents of the dominion government—with a delegated authority, the equitable exercise of which that government had the right to supervise.

But that position has now been abandoned, and the generally accepted view to-day may be summarily stated thus: (1) A Canadian province, like the dominion itself, is a sovereign state within the jurisdiction allotted to it by the British North America Act. (2) The remedy for an unjust act of the provincial legislature is to be sought not in disallowance by the dominion, but in an appeal to the electors of the province. (3) The question whether any act is *intra vires* the provincial legislature, is one for determination by the law courts—the supreme court of Canada, and, in the ultimate resort, the judicial committee of the privy council. (4) Only where legislation is plainly *ultra vires* the province, can the dominion's power of disallowance be legitimately exercised. It should, however, be added that provincial legislation that is *ultra vires*, even if allowed by the dominion to pass, may be successfully challenged by the private litigant.

POSSIBLE ABUSE OF SOVEREIGN POWER

It is a fundamental principle of British constitutional law that "an Act of Parliament can do no wrong"—that, given sovereign legislative power, the justice of the legislation cannot be legally questioned. "The Legislature within its jurisdiction," says Mr. Justice Riddell, "can do everything which is not naturally impossible, and is restrained by no law human or divine. . . . The prohibition 'Thou shalt

not steal' has no legal force upon the sovereign body, and there would be no necessity for compensation to be given."

A national parliament, however, with a long historical background, honorable traditions and accumulated experience, may be trusted on the whole to use its sovereign power with some regard for equity, if not for equity's sake, yet because it recognizes that good morality is, in the long run, not only good economy but sound politics as well.

But in the case of the provincial legislatures, there has occasionally been too much reason for suspecting a very imperfect appreciation on their part of the elemental truth that it is never, in the long run, in the interest of any government to do anything calculated to undermine that sense of security on which the whole structure of modern industry and commerce rests. Not infrequently the majority of the members have been men, actuated doubtless by the best of motives, but of very limited political experience, ignorant of the root principle of representative government, and thus too apt to regard themselves, not as members of a deliberative assembly, but merely as delegates pledged beyond recall to support by speech and vote what are often but ill-thought-out policies of social and economic reform.

In the sphere of taxation, for example, this failing has resulted in the legislature of Manitoba and in greater degree those of her sister provinces to the west, adopting on their own part, or sanctioning on the part of their delegates, the municipalities, a system of penal taxation of the owners of unoccupied land that in effect amounts to a process of gradual confiscation. Again, laws have sometimes been passed without the least regard for the sanctity of existing contracts, tacit or express.

On this ground, there is doubtless something to be said for the now discarded view that the dominion's power of disallowance of provincial statutes should be exercised where such enactments are clearly at variance with the principles of justice, involving, for example, invasion of private property rights or violation of contracts. But against this view must be set that which emphasizes the educative effects of responsibility, and insists that only in and through the exercise of responsible power do men and women become fit to use it wisely and well. In any case, the dominion's power of disallowance, in the case of legislation of the type above described, is now unlikely ever to be revived.

A SECOND CHAMBER NO REMEDY

Nor is anything to be expected from a resuscitation of the nominated second chamber, even if that were politically possible. It is generally admitted that a nominated second chamber, while it might delay, could not permanently resist hasty or inequitable measures passed by the representative assembly, under the influence of a real or supposed popular demand; while the necessary delay could be quite as effectively secured by amending the legislative machinery of the assembly itself.

To resist effectively the will of the representative assembly, the second chamber must itself be popularly elected; and the arguments in favor of such a chamber appear to have greater weight on the whole under the system of presidential government, in which the executive is separated from the legislature, than under the system of parliamentary government, in which the heads of the executive—the cabinet—are themselves members of the legislature, virtually nominated by and responsible to it.

The nominated second chamber or

legislative council survives only in two of the nine provinces of the dominion, namely Quebec and Nova Scotia, and in the latter there have been repeated attempts to secure its abolition. It may, therefore, be fairly said that opinion in English-speaking Canada has shown itself as the outcome of experience overwhelmingly in favor of the unicameral provincial legislature.

In fine, just as the general existence of two chambers in the state legislatures of the United States is held to illustrate the principle of survival of the fittest in the field of political constitutions under the system of presidential government, so the predominance of the single chamber in the provincial legislatures of Canada may be said to illustrate the working of the same principle under the system of parliamentary government.

THE PARLIAMENTARY SYSTEM EDUCATIVE

The continuous public discussion and criticism of government measures and policy, which the parliamentary system stimulates, is an effective school of political education. It quickens the sense of responsibility on the part of the members of the legislature, with the result that no government can long persist in a policy which does not enlist the support of the electorate. In the Canadian provinces, moreover, the term of office of the legislative assembly is short, and there is always the possibility of a dissolution before the legal term has expired. Thus a public politically educated and alert, aided by a vigorous parliamentary opposition, with an appeal to the electors ever on the horizon, provides a much more effective check on the abuse of its powers by a provincial assembly—a more active incentive to moderation, conciliation, and compromise—than any second chamber could furnish.

On the moral and political education of the electorate, therefore, and on that alone, rests our ultimate security for freedom from unjust legislative interference with personal liberty, private property rights, or violation of contracts. An educated electorate is in short an essential condition of successful democracy.

THE LIEUTENANT-GOVERNOR

The formal head of the provincial government is the lieutenant-governor who is appointed by the governor-general in council by instrument under the great seal of Canada, that is by the executive government of the dominion as representing the Crown. He holds office "during the pleasure of the Governor-General," but practically for a term of five years, which, however, may be and often is renewed. He may indeed be removed by the governor-general in council within the five-year term, but only for cause assigned. This, however, has never happened in Manitoba.

The lieutenant-governor is thus not a mere official, holding office as the creature and at the will of the dominion executive. His constitutional position and functions can be altered only by an act of the Imperial Parliament amending the British North America Act. As already noticed, while the provincial legislature is given exclusive power to amend the constitution of the province, the office of lieutenant-governor is specifically excepted, though it has been decided that this does not prohibit the legislature from increasing the powers and duties appropriate to the office.

The lieutenant-governor is the representative of the Crown in the province for purposes of provincial government, just as the governor-general is His Majesty's representative in Canada for purposes of dominion government. As

such, he must maintain an attitude of strict impartiality as between political parties, whatever may have been his party associations before entering government house. Incidental to his office are various social functions, and he has the leading part to play in all state ceremonies. All sessions of the legislature are formally opened by him with a "speech from the throne," for the contents of which, however, he has no responsibility, since it expresses not his views and policies, but those of his ministry.

All supply votes, in accordance with British constitutional usage, must be recommended to the assembly by a message from the lieutenant-governor on the advice of the cabinet, in the session in which they are passed. "The Commons," says Sir T. Erskine May, "do not vote money unless it be required by the Crown, or impose or augment taxes unless they be necessary for the public service as declared by the Crown through its constitutional advisers." This provision of the constitution alone, at a recent session of the legislature, prevented the provincial income tax bill from being so amended as greatly to increase the rate on the higher incomes.

When a bill has been passed by the legislative assembly the lieutenant-governor may assent to it in His Majesty's name, in which case it becomes law, or he may legally withhold such assent if in his judgment the bill is opposed to the interest of the dominion as a whole, or he may reserve it for the pleasure of the governor-general in council. But in practice his right to withhold assent and his right to reserve are as obsolete as is the king's veto itself at Westminster or Ottawa. For in all such matters the lieutenant-governor acts not on his own judgment, but upon the advice of his ministers, who, so long as they have the support of a majority in the legislature, are, under the system of responsible government, his constitutional advisers.

At the same time, it would be a mistake to conclude that, with a single-chamber legislature, the part played by the lieutenant-governor in provincial government is merely nominal. On the contrary, his office is no sinecure. He has a very real and responsible duty to perform as guardian of the law governing executive or administrative action on the part of his ministry. All decisions of the cabinet involving such action should be submitted for his approval, and only when assented to by him do they become orders-in-council.

Thus he is in a position to check, and in duty bound to check, any irregularity or breach of the law or conventions of the constitution by his ministers. He may dismiss his ministry, but he must find another to replace it which either has the support of a majority in the existing legislature or can secure such support by means of a dissolution and a general election. Failing this, he may himself be removed from office by the governor-general on the advice of the dominion cabinet. No lieutenant-governor of Manitoba has yet taken the extreme step of dismissing his ministry. That has, however, been done on two occasions in Quebec, and twice also in British Columbia; and once in each of these provinces it has led to the removal of the lieutenant-governor on the ground that his usefulness as lieutenant-governor was gone.

But without actually dismissing his ministers the lieutenant-governor may, in case of need, compel them to appoint a commission to investigate the legality of their own administrative actions. Thus, in 1915, the conservative government of Manitoba, under Sir Rodmond Roblin, after a long period of control, had just been re-elected, but with a

diminished majority, when it was charged in the legislature with having permitted overpayments to the contractor for the new Manitoba parliament building, who in turn, it was alleged, had agreed to furnish money for electoral purposes. On the government resisting in the legislature the demand for an enquiry, the lieutenant-governor, Sir Douglas Cameron, intervened and practically forced it to appoint a commission of investigation, after which the Premier tendered the resignation of the already discredited cabinet. The liberal leader, Mr. Norris, was sent for, formed a ministry, asked for a dissolution, and at the ensuing election obtained an overwhelming majority in the legislature.

It thus appears that, under the unicameral system of government, there are occasions, abnormal it is true, when, owing to unforeseen developments, even a newly elected legislature may clearly have ceased to represent the will of the people; and at such times the intervention of the lieutenant-governor may be necessary in order to secure a speedy response to that will.

THE EXECUTIVE COUNCIL OR CABINET

The lieutenant-governor summons the recognized leader of the party or group having the largest number of members in the legislature and invites him, as Premier, to form a ministry. This ministry, or as it is commonly styled cabinet, is the executive council.

The cabinet in Manitoba usually consists of seven members. It includes: (1) the Premier, who is president of the council, and also at present minister of agriculture—responsible in this latter capacity for the control of immigration so far as that lies within the power of the province, the administration of the game laws, and hitherto also agricultural education; (2) the attorney-general, who is responsible for the administration of justice; (3) the provincial secretary, through whose office pass all communications affecting the government in its relation to other governments; (4) the provincial treasurer, whose office, since it is excelled in substantial importance by none, and is more exacting than that of any other minister in the provincial cabinet, may detain us a little.

The business of the provincial treasurer is the general administration of provincial finance, including the raising of the revenue necessary for the maintenance of the public services, and the preparation, as well as the exposition and defence in the legislature, of the annual budget or estimated balance sheet of revenue and expenditure for the current financial year. The budget speech usually contains a comparison of the estimates of revenue and expenditure of the past year with the actual results; a general survey of the financial position of the province, including its capital assets and liabilities; a summary statement of the requirements of the new financial year, the details of which are before the legislature in the printed estimates; and an exposition of the manner in which it is proposed to balance revenue and expenditure, whether by reduction of or additions to existing taxes, the imposition of new taxes, or by borrowing.

While the cabinet as a unit is held to have approved of, and is responsible to the legislature for the budget as a whole, the task of justifying the different items in the estimated expenditure rests primarily on the minister in whose department they lie, the provincial treasurer being called upon to justify his proposals for raising the necessary revenue.

Under the present distribution of functions, however, the provincial treasurer is also minister of telephones, commissioner of provincial lands, and

railway commissioner, the last mentioned office being chiefly concerned with the renting of the government grain elevators.

The ministers above mentioned hold what may be described as the primary and essential offices of government. The others in the Manitoba cabinet are: (5) The minister of education, who is responsible for the administration of the education act under which the school system throughout the province operates; (6) the minister of public works, who is responsible for the administration of the drainage acts and for the maintenance of public institutions such as the legislative building, law courts, land titles offices, hospitals, asylums, industrial training schools, detention homes, and also provincial highways; (7) the minister of municipalities, generally styled the municipal commissioner, whose chief concern is the administration of the law governing municipal activities and in particular municipal borrowing. Subject to the minister of municipalities is also the tax commission, the functions of which include the supervision of municipal assessments and their equalization for the purpose of general provincial levies, as well as the collection of the different branches of provincial revenue. The duty of administering the public utilities act is likewise, under present arrangements, entrusted to the minister of municipalities.

All ministers must be members of the legislature, and any private member accepting an office in the ministry to which emoluments are attached must resign his seat and seek re-election.

The ministry or executive council is responsible for the government of the province, and holds office only so long as it has the support of a majority in the legislative assembly. This cabinet system of government thus ensures a ready response to the will of the majority of the people's representatives and, through that, to the will of the people themselves.

For, in case of a defeat in the legislature which can be construed as equivalent to a vote of want of confidence, the Premier must either ask the lieutenant-governor to dissolve the legislature or tender to the latter his resignation, which by constitutional usage carries with it that of the other members of his cabinet. In the latter case, the lieutenant-governor either summons the leader of the strongest section of the opposition to form a ministry, or, if that is impracticable, requests the retiring ministry to retain office pending an early dissolution and an appeal to the electorate by means of a general election. If the opposition leader succeeds in forming a ministry, but feels that he has inadequate support in the legislative assembly, he asks for and obtains from the lieutenant-governor an early dissolution. The outcome of the election then determines whether the existing ministry shall return to power or a new ministry be formed by its opponents.

PARTIES IN THE LEGISLATURE

The problems with which the provincial legislature has to deal, and the manner of dealing with which gives rise to opposing parties, are very different from those that confront the dominion parliament, and there is thus *prima facie* no reason why there should be any relationship between provincial and dominion parties of the same name. But while the problems themselves are different, the general political principles which govern the action of the respective parties are very much alike in both spheres; and, as a matter of fact, there has, as a rule, been a fairly close and sympathetic co-operation between the dominion and provincial parties of the same political hue.

Up till 1920 the two-party system prevailed in Manitoba, the government being either conservative or liberal according as one party or the other had for the time being the majority in the legislature. Since then, however, the social and economic effects of the Great War have contributed to loosen, for the time at least, old party ties, even in the sphere of provincial politics. Labor disputes, culminating in the general strike in Winnipeg in 1919, resulted in the election to the legislature in 1920 of a small but active labor group, while the fall in the prices of agricultural produce and the growing burden of taxation led to rural discontent, and to the election of an "Independent Farmer" group. The result was that for almost two sessions (1920–22) the liberal government under Premier Norris, whose party, though the largest group, were yet in a decided minority in the legislature (21 against 34), escaped defeat only through the mutual antipathies of the opposition groups.

At the general election in July, 1922, however, the United Farmers of Manitoba, having formally entered the field of provincial politics, elected the strongest group, with half the seats in the legislature, and organized the present government under the premiership of the Hon. John Bracken, formerly principal of Manitoba Agricultural College. This progressive or farmer government, confronted with a divided opposition of liberal, conservative and labor members, was able, in the course of the first session of the legislature, to secure the passage of some important measures, including a bill for the imposition of a provincial income tax, but only after a session lasting upwards of fifteen weeks (January 18 to May 7) as contrasted with a normal session of about two months. This prolongation of the session was mainly due to the want of a clear and compact majority of government supporters in the legislature. Under such conditions the grip of the government is naturally less firm, and dreary declamation flourishes to the detriment of business. Members take full advantage of their right to address questions to ministers, or move the adjournment of the debate in order to prepare full-dress orations, while motions for leave to move the adjournment of the debate, in order to call attention to some definite matter "of urgent public importance," furnish the opportunity for lengthy speeches and even an occasional all-night sitting. An attempt to deal with this situation has been made at the present (1924) session by the adoption of a closure rule, under which, on the motion of a minister, speeches may be limited to thirty minutes. This tendency to tedious discussion is especially apparent in the debate on the reply to the speech from the throne, which, instead of occupying only a few hours at the opening of the session, is made to extend over weeks; and again it appears in the discussion of the financial proposals of the budget, the presentation of which by the provincial treasurer is in general the most important event of the session.

But, if on such occasions the speeches are only too often decidedly more remarkable for quantity than for quality, it must be admitted that this is a weakness that may reasonably be expected to diminish with the return of more stable political conditions, and the steady if slow progress of political and economic education.

RECENT BOOKS REVIEWED

THE DEVELOPMENT OF NATIONAL ADMINISTRATIVE ORGANIZATION IN THE UNITED STATES. By Lloyd M. Short. Johns Hopkins Press, 1923.

This is one of the series of substantial volumes, classed as Studies in Administration, published by the Institute of Government Research at Washington, D. C. This series and that on Principles of Administration and the more numerous but shorter Service Monographs now form a considerable library on public administration, historical, descriptive, critical and constructive.

The present volume is, logically, a historical introduction both to the series of Service Monographs, and to W. F. Willoughby's volume on the "Reorganization of the Administrative Branch of the National Government." It gives a connected and comprehensive account of the development of the central administrative machinery of the national government at Washington, but does not include the local agencies and field services throughout the country and abroad.

After an introductory chapter on the general problem of administration, the study is divided into two main parts, covering the periods before and after 1860. One chapter deals with the administrative experiments under the Continental Congress and the Confederation, and another covers the establishment of the administrative system under the Constitution of 1787. The several departments and detached services are then taken up in order, followed by chapters on administrative agencies during the World War, the President as administrator-in-chief, proposals for administrative reorganization and conclusions. There are outlines of the administrative system in 1860 and 1923, bibliographical references and a good index.

The monograph shows a thorough and careful analysis of a great body of detailed facts, systematically classified and arranged, with convenient summaries which emphasize the general tendencies, and also the distinctive features of particular departments and administrative agencies, criticisms of the existing arrangements and the problems of reorganization.

While primarily written as a doctor's thesis at the University of Illinois, the author has had the advantage of several periods of residence in Washington, on the staff of the Institute of Government Research; and he has thus been able to make use of personal contacts with the administration in action, in addition to the great body of official and unofficial source and secondary material.

The book forms a distinct and useful contribution to the knowledge of the administrative branch of the national government; and will be of special value to members of Congress and administrative officials, to teachers and students of government, to all who are seriously interested in the practical problems of government.

JOHN A. FAIRLIE.

University of Illinois.

THE GOVERNMENT OF LOWER MERION TOWNSHIP. Published by the Commissioners of Lower Merion Township, Ardmore, Pennsylvania, 1922. Pp. 370.

This volume comprises a survey made in 1922 by the Bureau of Municipal Research of Philadelphia at the request of the commissioners of Lower Merion. It covers the form of government, legal limitations, policy determining processes and administration of a township situated adjacent to Philadelphia with an area of approximately twenty-five square miles and a population of 23,866.

To a student of local government this community provides an unusual opportunity for municipal introspection. The proximity to Philadelphia places it in a suburban area making its life and problems dependent in part upon the city's sphere of influence. In its type of government there is a nice mixture of the old and new forms, with experience and practices adjusting themselves to a changing environment. There is a suggestion of the English in its governmental processes. Authority is vested in a board of township commissioners whose members are divided into standing committees to direct policy and administration in matters of finance, highways, fire and police, health and drainage, playgrounds, law and building regulations. In most instances technical officials report to these committees and take part in the deliberations.

In content the report itself is not unlike the many other reports prepared by research bureaus

subsequent to local surveys. Each important administrative unit is analyzed with a description of its organization, powers, methods of procedure, characteristics, accomplishments and defects. The style, unfortunately, is in a hard, impersonal, unimaginative form, but after all this may be best for a particular purpose. The chapters on health, police and fire, parks and playgrounds and personnel seem exceptionally well constructed from the standpoint of good bureau reporting, illustration, and graphic and tabular presentation. In some of the chapters the critical and constructive suggestions might have been isolated to better advantage. For instance, in concluding the subject of finance and accounting, there are general recommendations, but many of the specific suggestions are so scattered throughout the chapter as to be almost hidden from view. Only the insistent researcher will see them.

While the report for its special purpose was undoubtedly a thorough success it is to be regretted that some one in assembling it in printed and bound form for public inspection has not touched it with his own personality and provided the more mellow and socially interesting background which was so readily available. If the report could have been tinged with some shadings a painting might have been created of more than ordinary interest instead of a clear cut photograph without color. But in the original conception it was not intended to be ornamental or for the general reader. It was prepared professionally and pointed at a single group of township officials. That the aim was straight and effective is evidenced by the appraisal of "excellent" by the township's president, who also added that many of the suggestions had been adopted and that all were receiving thoughtful attention. One of the major recommendations advocated a township manager.

MORRIS B. LAMBIE.

University of Minnesota.

MANUAL OF INFORMATION ON CITY PLANNING AND ZONING. By Theodora Kimball, Librarian, Landscape School of Architecture, Harvard University. Published by the Harvard University Press, 1923.

With the rapidly growing interest throughout the country in the subjects of city planning and zoning, there are naturally a great many questions arising which we find hard to answer, and now appears this new work by Miss Theodora Kimball, whom every student of city planning knows as the leading city-planning bibliographer of the world.

The book starts with a most useful statement of what city planning is all about, why it must be done comprehensively, how to get started, and how to pay for the plans.

The statement answers just the questions that the new city-planning commission needs to have answered.

Then follows an excellent one-foot shelf of ten varied reference books on city planning. This is followed by another longer list of twenty-five reference books, which successfully covers the whole gamut of the phases and points of view in city planning. There is also an excellent list of typical American city-planning reports, while the bulk of the book is occupied by a detailed and remarkably complete bibliography of all books, pamphlets and many magazine articles that have to do with one phase or another of the subject.

There are also useful informative statements about the various national and state organizations that have to do with city planning, followed by a list of magazines (American and foreign) that are dealing currently with planning.

There is also an excellent statement about the status of city planning in about thirty foreign countries. The book also goes into the question of conducting publicity campaigns and describes various effective methods of reaching the public; and among other things, gives a list of city-planning lantern slides and films available for use.

The report also gives a statement about the various university and school courses of instruction in city planning.

Lastly, and, to many, the most important matter of all, there appears a list of municipal appropriations in a large number of American cities during each of the last four years, for the preparing of city plans or zoning ordinances, or both.

It is exactly the sort of reference book that everyone interested in city planning has been wanting for a long time.

GEORGE B. FORD.

CHILDREN ASTRAY. By Saul Drucker and Maurice B. Hexter. (Introduction by Dr. Richard C. Cabot.) Cambridge: Harvard University Press, 1923.

Here are children, twenty-four of them, astray in mean city streets, all with the most deplorable

homes back of them,—weaklings, pilferers, wanderers, truants, intractables, precocious, characterially defective, and sex problems. Students of philanthropy will find each case described with scientific exactitude and detail under four main headings: the Problem, the Analysis, the Treatment, and the Result,—the point of view throughout this portion of the work being frankly sociological with incidental reference to psychological diagnoses and prognoses. Unlike most scientific treatises, however, the general reader will find "Children Astray" a work of the most absorbing interest. For following the case record the story of each child is told, simply and admirably, sparing nothing of his original filth, moral and physical, but also revealing the right impulses discoverable beneath. In Dr. Cabot's words, "A kindly and fatherly feeling towards the children is everywhere evident. Their failings are never harshly judged. Their pranks and even their misdeeds excite unconcealed amusement or sympathy in those who record them. Thus the reader sees through the child's own eyes because the writers have done so. I never heard of another superintendent who consented to go and be looked over by a gutter snipe who wanted to inspect him before deciding whether he would go to the home or not. 'Was yer a bad boy too?' he inquires as the humble superintendent stands before him, hat in hand, waiting to be judged. Admirable humility! And it won."

One must marvel not only at the kindliness but also at the insight and technique, the sheer resourcefulness, with which these children are cleansed and lifted up to realize the full measure of their potentialities. It is a new version of the old story of prince or princess enchanted by some foul necromancer, set free at last not by white magic but by modern science and warm human love. The work of Messrs. Drucker and Hexter is of the most direct practical value to child-welfare workers. It should prove of enthralling interest to all lovers of children, including mothers and fathers of "good" children, who, by the way, in the course of their parental experience must sometimes have recognized in their own angelic offspring certain of the traits exhibited by these "gutter snipes." As a teacher of municipal government the reviewer has found the book extremely helpful in revealing to his students the depths and the heights, the worst and the best that contemporary city life affords. It gives point to Professor Munro's observation that "the modern metropolis . . . is neither an Athens nor a Gomorrah; it is both rolled into one."

ROBERT C. BROOKS.

Swarthmore College.

TORONTO'S SINGLE TAX REFERENDUM. Report of the Committee on Taxation of the City of Toronto *re* Single Tax 1923.

On January 1, 1924, the voters of Toronto rejected a proposal to apply the single tax in the city tax system. The vote was 37,000 to 6,000 which shows the Canadians are winter sports. Under the proposal submitted, the city would have gone over to a tax on land alone gradually in installments at the rate of one tenth a year, along the lines of the Pittsburgh scheme.

The report of a special official municipal commission which studied the single tax proposal has just appeared in print. It was born in the heat of the campaign, but even so contains material which will be of service to those who wish to have at hand more up-to-date figures on the financial condition of the western Canadian cities which have experimented with land taxes, building booms, land speculation, unnecessarily extended improvements and the other concomitants of frontier frenzy.

The report is made up, first of the majority report in opposition to the single tax. This gives in detail the tax experience, or part of it, of a dozen Canadian cities and of Pittsburgh. This material is very uneven and gives the impression of many figures but no research. It is followed by computations of future tax burdens and rates under the proposal and by the marshalling of various opposition arguments. The second feature of the report is a minority report from the labor member of the committee. This is something of an oration, but contains much sound sense. It approaches the question from the standpoint of the worker, and devotes considerable attention to the intriguing social and economic claims of the single tax. The specific conclusions are in accord with the majority report.

The third part of the document is made up of the inevitable minority report of the single tax member of the committee. As usual, this is better done and more taking from a literary standpoint than the majority brief, and as usual it passes lightly over the essential difficulties.

Then follows appendix "A," entitled, rather honestly under the circumstances, "Remarks, in Part, of Some of Those Opposed to Single Tax." In this will be found quotations from lawyers, tax officials, excerpts from anti-single tax reports and from Professors Seligman, Adams and Plehn. There is no appendix "B."

Taken as a whole, this report is a good high school debate manual for the antis. It is not convincing as a piece of research.

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REVIEW OF DETROIT RAPID TRANSIT COMMISSION'S REPORT.

Will the landowner along the right-of-way help out the city straphanger? Recent developments suggest that the former may eventually solve the financial problem besetting rapid transit in some of the larger cities.

Increasingly, during the past few years, the principle has gained headway that by specially taxing the great enhancements in land values created by new electric traction lines—particularly elevated and subway lines—local communities can successfully finance their construction of these utilities.

New public works, such as sewers, fire hydrants and streets, have long been customarily paid for by assessing the enhancement in property values. More recently parks have been similarly financed and also drainage projects. A subway or an elevated road is no less a public work. It can be paid for in the same way, and thus the fares paid by the riding public will be needed, not to defray its capital cost, but only the cost of its operation.

This idea, incorporated in an unworkable enabling statute in New York State about thirty years ago, but never applied in New York City, received a new impetus in 1920 through the recommendation of the Federal Electric Railways Commission in its report to the President. Said the Commission: "The establishment of that principle (special assessment of the landowner) by law, whether by changes in city ordinances, state statutes, or state constitutions, should, in our opinion, not be delayed. This thought is especially recommended to the attention of a number of communities which are now facing the necessity for extensions or rapid transit improvements."

Since this recommendation was made, the idea has been introduced or has been strongly agitated in several communities in connection with specific instances where the completed construction, to be financed through special assessments, was intended to be used by a privately operated company.

But it would be natural that the idea should have its first comprehensive adoption in connection with municipal street railway operation, —natural, because in such a case there can be no danger lest, through defective public regulation of the private operating company, the public might fail to get the full benefit of the economy in the initial capital cost. In other words, where the city actually operates its own traction lines, there is nothing to obscure the character of the new subway as a public improvement. It is for this reason that the recent proposal of the Detroit Rapid Transit Commission is apt to have particular weight. Its report of November 27, 1923, to the mayor proposes the construction of a complete tunnelway rapid transit system for the entire city, the capital cost of which is to be borne, one-fourth by the city at large, and three-fourths by direct assessment. Such assessment would be applied in cents per square foot upon

RATES PER SQUARE FOOT CONVERTED INTO AMOUNTS PER FRONT FOOT

Assumed Average Lot 120 Feet Deep

Zone	Approximate Zone Distances in Feet	Rate in Cents	Front Foot Rates in Dollars	
			1 Year	Total for 7 Years
AA	250	7	8.40	58.80
A	500	5	6.00	42.00
B	1,150	3½	4.20	29.40
C	1,800	2¼	2.70	18.90
D	2,450	1½	1.80	12.60
E	2,640	1	1.20	8.40

land lying within one-half mile of the new lines at rates varying according to proximity to stations. In order to carry out the scheme, the commission urges the immediate enactment of a state enabling law.

According to the cost estimates of the commission, the so-called "proximity assessment," varying from about seven cents up to forty-nine cents a square foot, would be payable in installments over a period of seven years.

The table on page 237 is given by the commission of the effect of the proposed assessment on a lot of a given size in different assessment zones.

Since this method of financing rapid transit construction through "proximity assessments" can be made practicable for large cities where traction lines are privately operated, the outcome in Detroit should be watched with universal interest.

LOUIS B. WEHLE.

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AMERICAN FORMS OF MUNICIPAL GOVERNMENT. Compiled by the Chamber of Commerce of the United States. Washington, D. C., 1923. Pp. 40.

Within the scope of forty pages, twenty-five of which are composed of appendices, the civic development department of the United States Chamber of Commerce has attempted to set forth the main facts pertaining to American municipal government. A brief outline of city government from colonial times to the present day is followed by an analysis of the various forms of municipal government that have developed in this country. A few of the more important administrative problems, such as financial control and public employment, are touched upon. Though the work is limited to a few broad generalizations, it should prove of some value as an introduction to a more extensive study of how our cities are governed. With this thought in mind, the compiler has added a list of a few of the many agencies from which information may be obtained, together with a bibliography of some forty books and magazines. The bibliography has evidently been chosen with some care, though it omits a number of the most important works in the field. An interesting feature of the report is a list of the cities now operating under the commission and city manager plans, supplemented by a record of those municipalities which have abandoned either form of government.

AUSTIN F. MACDONALD.

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THE MUNICIPAL BUDGET. Publication No. 1 of the League of Minnesota Municipalities. Printed November, 1923. Bulletin of 24 pages.

This bulletin is the first of series of pamphlets on the general subject of municipal finance to be published by the League of Minnesota Municipalities under the direction of Morris B. Lambie, executive secretary of the league. It is not an argument for the budget system in local governments, since such argument is no longer deemed necessary. The pamphlet states briefly the contents of a municipal budget and the method of procedure in its preparation. Budget classifications, set-up of the budget, appropriation ordinance, procedure and budget control are among the topics treated. A budget or financial calendar is presented. The budget forms and procedure are, of course, adapted to the municipalities of the state of Minnesota. The bulletin, however, contains many valuable suggestions of a general nature applicable to similar situations in other states. It is well worth reading by all those who are interested in better budget control in city governments.

ITEMS ON MUNICIPAL ENGINEERING

EDITED BY W. A. BASSETT

Recommended Treatment of the Sewage of North Side, Chicago.—Two noteworthy features of the method of treating the sewage of the North Side district of Chicago recommended by the board of engineers which studied the project are, first, the attention given to the problem of controlling local nuisance, and second, the abandonment of any idea of securing financial return from the manufacture of commercial fertilizer from activated sludge until better methods of dewatering such sludge are devised. The area to be served by the proposed treatment works has a present population of about 600,000, which it is estimated will reach approximately one and one-half million by 1960. The engineers who made the report were H. P. Eddy, G. W. Fuller and T. Chalkley Hatton. While obviously the conclusions arrived at after a study of the situation and the recommendations made apply only to the local problem, and one which is that of a large city, yet the analysis of the respective methods studied and the reasons given for the stand taken in the matter are of unusual interest to other communities facing the necessity of providing a comprehensive method of sewage treatment.

The study of the Chicago problem involved a detailed consideration of three projects, namely: Imhoff tank with trickling filter works; activated sludge works with sludge dewatering and drying equipment; and activated sludge works with sludge lagoons.

The estimated construction and operating costs together with the costs per million gallons treated by the various projects are shown in the accompanying tabulation.

The following comment with respect to the merits of the various projects and the reasons given for selecting the type of treatment recommended appear in the engineers' report:

Each project is capable of producing the required degree of purification. In each case there will be produced a substantial quantity of sludge containing fertilizing ingredients, principally nitrogenous organic matter.

In the case of Project 1, the quantity of fertilizing ingredients contained in the sludge will be so small that its profitable utilization as a commercial fertilizer is not promising, although there might be some local demand for it in the condition in which it is removed from the drying beds.

The sludge from the activated sludge process contains more nitrogenous organic matter, and is in better physical condition for use as a commercial fertilizer, when properly prepared, than that from Imhoff tank-trickling filter works.

As activated sludge has not been placed upon the market as a commercial fertilizer, it is not possible at present to predict what will be the demand for it, or what price it may command.

The dewatering of activated sludge, which has been under investigation for several years, has proved to be a rather difficult process. While it has been demonstrated that this sludge can be dewatered, it is probable that improved methods will be discovered within a moderate length of time which will materially reduce the cost below that now indicated.

It is difficult to construct and operate such large Imhoff tank-trickling filter works so as at all times entirely to prevent the presence of the odor of sewage in its immediate vicinity. Such orders will be more noticeable about a very large work than about small ones. While it is believed that ample provision is made in Project 1 for the

Project	Cost of Construction	Total Annual Cost	Cost per Million Gallons Treated
1. Imhoff Tank-Trickling Filter Works	$16,266,000	$1,766,000	$27.84
2. Activated Sludge Works with Sludge Dewatering and Drying Equipment	14,503,000	2,210,000	34.60
3. Activated Sludge Works with Sludge Lagoons	13,203,000	1,751,000	27.42

isolation of the works, it is recognized that there may be a noticeable odor immediately adjacent to them, and that such odor will be observed by persons using the highways in the immediate vicinity of the works.

Although the development of the little moth fly has proved objectionable in the immediate vicinity of some trickling filters, it is believed that the development of such flies to any substantial extent can be prevented.

The disposal of activated sludge by lagooning in a suitable locality as proposed in Project 3 does not appear to involve any danger of objectionable odors, and is much less expensive than its disposal by any other means, unless substantial return can be obtained for it as a fertilizer.

Because of the possibility of objectionable conditions in the immediate vicinity of Imhoff tank-trickling filter works, and because an equal degree of purification can be secured at substantially the same cost by another process, we conclude that Imhoff tank-trickling filter works offer no advantage for the treatment of the sewage of the north side area.

In view of the uncertainty of securing a market for the dried sludge, and of the price at which it could be sold, if there should be a market for it, and in view of the probability that improved methods of dewatering the sludge will be found, we conclude that it is not wise for the sanitary district to undertake to convert the activated sludge into commercial fertilizer at the present time.

In view of the fact that works comprising Project 3 can produce an effluent equal in quality to either of the others; that such works can be built and operated for considerably less cost than those of Project 2; and that the sludge can be finally disposed of in an economical and unobjectionable manner, we recommend the installation of the activated sludge process with disposal of liquid sludge upon waste land, as herein described under Project 3, as the best system for the treatment of the sewage from the north side area.

The installation of Project 3 will place the sanitary district in a position to take advantage of any improvements which may be made in the process of dewatering and drying sludge, so that if and when it shall be proved that the sludge can be sold for an amount equal to or greater than the cost of dewatering, drying and marketing the fertilizer, the necessary equipment for so doing may be provided.

In closing, the opinion is reiterated that the activated sludge process recommended for the north side area is readily capable of producing an effluent entirely suitable for discharge into the north shore channel and will conform to the requirements of the act of 1921 of the legislature of the state of Illinois requiring the treatment of sewage by the sanitary district of Chicago.

Charging Suburban Communities for Fire Service.—The policy of charging suburban communities in the vicinity of Toledo, Ohio, for service furnished in fighting fires, an amount commensurate with the cost of this service is receiving serious consideration by the government of that city. A limited inquiry conducted by the Toledo Commission of Publicity and Efficiency for the purpose of ascertaining the practice followed by other communities in this matter disclosed the fact that out of twenty cities from which information was sought eight require payment for fire runs outside the city limits and four others contemplate similar action. The policy followed by those cities operating under such an arrangement is as follows: In Ohio, the city of Cleveland makes a charge of $250 per run, while Cincinnati charges $75 per hour per piece of apparatus furnished. Fire protection service is supplied by the city of Columbus on the basis of annual contracts made with villages and townships. The charge made is $1 per $1,000 of the duplicate valuation of the corporation receiving protection. Milwaukee, Wis., charges $150 per company for the first hour of service and $100 per hour thereafter. That city also requires the township or village desiring fire protection to keep at all times $300 on deposit in the Milwaukee city treasury. Baltimore charges $25 per hour per company supplying service, and Detroit an equal amount on the hourly basis alone. The city of Buffalo makes a minimum charge of $100 for each call, while Minneapolis charges $30 per hour per piece of apparatus supplied. Complete data are not available as to the extent of such service supplied by the above cities or the estimated cost and its relation to revenues from charges made. The considerable variation in the amount charged the communities served would indicate in general the charge made was not predicated on the actual cost of supplying the service furnished. It is interesting to note however that the city of Milwaukee during 1922, according to the report

of the Toledo commission netted $14,875 from fifty-eight runs made by the city fire department outside the city limits.

A policy based on the principle of one community making a charge to adjoining ones for service furnished in the matter of fire fighting constitutes a somewhat radical departure from traditional practice followed. At the same time there are sound arguments in support of a policy of this character. Of late years both the cost of fire apparatus and that of maintaining an efficient fire department has increased materially. The adoption of motor equipment has, of course, enabled furnishing much more prompt service than was possible heretofore, and increased the range over which the equipment could be used with advantage. This of itself has resulted in outlying communities making demands on cities for fire protection service. Residents of such communities outside the city limits do not pay taxes for the support of a city fire department. Moreover, there is always a considerable wear and tear on equipment reporting to fire calls which is an element of the expense. These points, among others, deserve attention.

It is of interest to note certain of the factors that have resulted in making the matter of fire service, furnished to local communities, a serious issue. Conditions in small communities have changed radically in recent years with respect to the need for fire protection service. The increased use of the automobile and other motor vehicles accompanied as it has been by the storage of the latter together with gasoline, frequently in buildings unsuitable for such purposes, has created fire hazards that formerly did not exist. Also the extensive use of electricity in the household has introduced another class of hazards, demanding additional fire protection. During the past few years there has been a marked development for residential purposes of land outside of the city limits. This applies particularly to the larger cities and has resulted in the rapid change of semi-rural communities to those essentially urban in character with all the needs of the latter and rarely the means to supply these needs. The readjustment of local governments to meet changed conditions such as these is always slow and ordinarily does not keep pace with community growth, particularly in the matter of furnishing such services as fire protection. As a natural consequence many small communities for financial considerations alone would be forced to get along for a time at least with inadequate protection of this character unless able to get help from the larger ones in time of need. Obviously protection against fire is a common interest and there should be prompt response to meet the need for providing such protection when it arises. At the same time every community and by this is meant the local government is obligated to furnish its citizens with adequate protection against fire hazards. If, in order to accomplish this and at the same time avoid excessive expense for acquiring apparatus and maintaining a force of paid men to meet all requirements in this matter, it is possible to obtain help from adjacent communities when needed, such an arrangement is eminently desirable. At the same time service of this character ordinarily should be paid for by the community served and the charge made should be on some mutually equitable basis. Otherwise there will always be a tendency for the less progressive community to exploit the more progressive one. Too much reliance should not be placed on outside help in these matters and it is believed that every community should be required to meet certain minimum requirements in respect to providing fire protection facilities. What these should be will depend on local conditions. The entire matter of fire service to suburban communities and the policy that should be followed in this matter deserves the most careful consideration of city and town officials.

Contract vs. Day Labor for Handling Public Work Construction.—An interesting discussion by three prominent engineers of the relative advantages and disadvantages of handling municipal public work by contract or day labor appeared in the *Engineering News-Record* of December 6, 1923. The most ardent proponent of the day labor or force account system was Mr. L. G. Holleran, deputy chief engineer, Bronx Parkway Commission of New York State. Mr. Holleran points out that important public works have been successfully constructed in this way and cites as examples the Panama Canal, many of the U. S. Reclamation Service projects, the flood protection works of the Miami (Ohio) Conservancy District and the Bronx Parkway. The successful prosecution of these various construction enterprises by force account is an established fact. However, there is a considerable difference of opinion on the part of indi-

viduals competent to pass judgment on the matter with respect to the cost of executing such projects by contract or by force account. Also there is little if any analogy between the projects noted and the bulk of the public work most communities are called upon to perform. In presenting the advantages and disadvantages of the force account system Mr. Holleran did not advance any particularly new thoughts, but he did enunciate five requirements for the successful accomplishment of public work by force account which merit careful consideration. These requirements are:

(1) Assurance that the organization will be entirely unhampered by political interference.
(2) A municipal administration in sympathy with the method and ready to support it against attempts at political influence and against unjust criticism.
(3) Willingness to pay salaries commensurate with the ability required for successful operation.
(4) A construction program of such magnitude and planned ahead for such a time as to allow a reasonably large and permanent organization to be built up and maintained.
(5) Absence of restrictive laws and regulations, including civil service regulations, which would hamper the conduct of the work by this method.

It is believed that no one familiar with the problem of administering public work construction will dissent from the soundness of the doctrine epitomized above. However, it is of interest to note the comment of Mr. Paul G. Brown, contractor and engineer, New York City, who also contributed to the discussion of the matters under consideration, with respect to the practicability of securing compliance with the above requirements. Mr. Brown comments in part as follows:

(1) The minor politician only stays in public life for such a period as he can please his constituents—and that is only as long as he can get jobs for the lame, the halt and the blind. The pressure for jobs is always too great to withstand.
(2) The administration might be able to support itself against unjust criticism, but there will always be enough criticism to condemn such a method.
(3) The proper compensation for a qualified administrator to take charge of even a modest construction project is in excess of that usually paid to any municipal or state official, so that the chance of getting properly compensated and qualified leaders is very small.
(4) Readily possible.
(5) Most of our states and cities have civil service and other laws now enacted that would prevent the proper selection of men; as those best qualified could or would never pass examinations. These laws would also protect incompetents. The purchase of materials is so restricted by law as to be a great handicap.

Four of the five conditions assumed as necessary to successful conduct of force account work being found absent, further discussion would be fruitless.

A further viewpoint on this problem was contributed by Mr. Charles H. Paul, chief engineer, Miami Conservancy District, Dayton, Ohio. Recognizing, as he does, that while force account methods are of unquestioned value in handling public construction work under certain conditions, these methods do not constitute a universal panacea in solving the problem, Mr. Paul's views as abstracted below are of particular interest and value.

Ordinarily force account methods cannot well be tried out on a small scale, as has been said, but in some cases that has been done, and with marked success. The city of Dayton, Ohio, is now resurfacing with asphalt a number of streets by the force account method. As to rate of progress and character of work, the plan is highly successful. Very little additional equipment was needed over and above what was already required for street maintenance. The work is well organized, and the job is going ahead rapidly, and with very little inconvenience to the traveling public. It is understood that cost figures are considerably lower than have been obtained from recent bidding.

All of which goes to show that each job should be studied by itself, and whether or not it should be handled by force account depends largely upon the conditions surrounding that particular job.

Even on a force account job there are often many small incidental jobs which are better handled by contract, just as on a contract job parts of the work may be sublet to advantage. An organization built up to handle big work is not usually fixed to handle small isolated jobs economically. A small contractor with an outfit under his personal control can often take care of such jobs much better and at lower cost, because of close personal supervision and low overhead. Also, when a relatively small job requires special equipment or special methods, it is often possible to find a contractor fixed to handle it more satisfactorily than the main organization can. While the work of the Miami Conservancy District was a force account job, still there were many parts of it handled in this way by small contractors, with most satisfactory results. To overcome some of the disadvantages of straight unit price contracts, a cost-plus-variable-fee contract was worked out, which is virtually a compromise between force account and ordinary contract methods, combining some of the best features of both.

We know that force account methods, on a large scale, can be used to advantage and with economy, when conditions are favorable or

suitable. Often there are conditions which are not suitable, as has been outlined in the original paper and in this discussion. Every job should be studied carefully before adopting force account methods to see that conditions warrant that arrangement. Because it has been conspicuously successful in some cases is no reason why it is always desirable. Generally speaking, routine municipal work, in the opinion of the writer, does not offer as attractive a field as do special jobs of greater public interest.

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Private Inspection of Reinforced Concrete Practice.—A novel method of improving the practice in reinforced concrete construction has recently been undertaken by the dealers of reinforcing steel in one of our large cities, according to an editorial comment appearing in the *Engineering Record* of September 27, 1923. The idea back of the action taken is that every poorly-built structure is a detriment to their business and every well-built one an advertisement. As a means towards accomplishing the purpose in mind these dealers have put into the field a number of traveling inspectors who go from job to job and check up the steel used against the amount called for on the drawings. The editor comments as follows on this plan:

Some of the contractors have resented this as an unwarranted intrusion into their business, but the steel people have been backed up by the owners and engineers and have proved to their own satisfaction that the scheme pays as a preventative against skimpy construction. The idea might well be adopted by the cement companies. It is too true that the rules for good concrete making are not observed by many who should realize their necessity. This includes engineers as well as contractors. An outside agent might well observe infractions which when reported and emphasized would be remedied, though in the routine of construction and inspection they would be passed over. Every poorly-built concrete structure is money out of the pocket of the cement industry. That industry is spending great sums to spread the knowledge of how to make good concrete. It might well spend a little more in the wider application of the experiment of "butting in" on specific jobs with a view to specific improvement in practice.

The purpose of this arrangement is a commendable one. The work being done should be of value, provided it supplements rather than attempts to furnish service in the matter of regulating private building construction which is the function and responsibility of the local government to perform. If there is faulty design and construction of buildings in a community the way to meet this situation is to provide for the regulation of this work by competent public officials, and not to depend on any action by dealers of construction materials or others who are without authority to enforce compliance with recognized standards.

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Reduction in Permissible Truck Loading in California.—A substantial reduction in the maximum load permitted to be carried by motor vehicles operating on improved state or county roads in California is a feature of recent motor vehicle regulation legislation in that state. Under the new law the limit of loading has been reduced from 30,000 pounds to 22,000 pounds although 2,000 pounds in excess of the limit prescribed is permitted until December 31, 1926, for vehicles registered prior to August 31, 1923. The maximum permissible weight per inch width of tire channel base is fixed at 700 pounds and the total gross weight for six- or eight-wheeled vehicles is limited to 34,000 pounds. The use of but one trailer is permitteed whether loaded or unloaded. Body widths must not exceed 96 inches over all and the maximum speed permitted for given gross weights are as follows:

Gross Weight Pounds	*Speed* Miles per Hour
9,000–12,000	25
12,000–22,000	15
Above 22,000	10

Cities and counties are permitted by ordinance to increase the permissible weights and also the body widths, but may not reduce these except on unimproved roads, bridges, or for an emergency. This legislation is important in that it indicates an awakening appreciation of the necessity for safeguarding road construction against destruction by overloading.

Permitting cities and counties to increase the permissible loading appears to be a bit illogical if for other than a very restricted range of operation. A limit of twelve tons for operation over suitably paved city streets would be difficult to justify, but permitting any substantially greater loading to operate over most county thoroughfares would tend to nullify the purposes of the state law.

The real problem of traffic regulation is how to regulate loading so as to prevent the destruction of the road with a limited loading carrying capacity while not restricting the economical use of the road designed to carry greater loading.

GOVERNMENTAL RESEARCH ASSOCIATION NOTES

EDITED BY ARCH MANDEL

A conference of taxpayers' associations, including representatives from Arizona, Nevada, New Mexico and Utah, as well as of persons from other states interested in administration and taxation, was held during the past summer. A Western Taxpayers' Association was established, of which Mr. Rudolph Kuchler, of Phoenix, Arizona, is president. A. C. Rees, of Salt Lake City, Utah, is secretary. It is hoped to bring about the organization of taxpayers' associations in all of the Rocky Mountain and Pacific states.

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Mr. C. V. Berry of the Detroit Bureau of Governmental Research, has resigned to become manager of a manufacturing company in Kalamazoo, Michigan.

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For greater convenience the Ohio Institute for Public Efficiency has changed its name to "The Ohio Institute." The changed named indicates no difference in objects or policies.

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A recent report by the Ohio Institute to the Ohio State Teachers' Association relates to the financing of public education in Ohio. The report contains much statistical material indicating the sources, amounts and distribution of the income of public schools in the state.

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In order to promote wider support for securing a new state institution for the feeble-minded, the Ohio Institute has organized a state-wide mental hygiene committee. Representative citizens in most of the larger communities of the state are already enrolled and beginning active work.

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At a recent election at Kansas City, Missouri, a charter commission, pledged to write a city-manager charter, was elected. It has been reported that the success of the election is due to a large measure to the efforts of the Public Service Institute, Walter Matscheck, director.

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Harris S. Keeler, director of the Chicago Bureau of Public Efficiency, is a member of a commission of twelve, appointed by the Chicago Board of Education to study the problem of school housing, including various types of school organization and other matters bearing upon the formulation of a comprehensive school building program. Since Chicago is prepared to spend approximately $16,000,000 a year for school buildings until the school problem is satisfactorily solved, the work of this commission is of unusual importance. Various school systems will be visited, with particular reference to junior high schools and the platoon plan.

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Those interested can secure from **H. G. McGee,** director of the Akron Bureau of Municipal Research, 1027 Second National Building, Akron, Ohio, a reprint of his article on "Municipal Finance and Improvement Policies," which appeared in the February 7th number of *Engineering News-Record;* also, a copy of his article on "Economics of Highway Improvements."

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Any bureau interested in a county charter should secure a copy of the proposed charter for Nassau county, New York, from the New York State Association, 305 Broadway, New York City, Robert Moses, secretary.

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At the meeting of the American Political Science Association, held at Columbus during the last week of December, it was voted to invite the National Municipal League, the City Managers' Association, the National Assembly of Civil Service Commissioners, and the Governmental Research Conference to appoint two representa-

tives, each to confer with similarly appointed representatives of the Political Science Association, with a view to co-operation in the work of the International Congress on Administration.

Professor Leonard D. White of the University of Chicago, who attended the congress held in Brussels last October, is taking a leading part in the work of this joint committee, whose functions, according to Professor White, will be "to co-operate in the preparation of an American bibliography of works in administration and to act in general as an American center; also, to consider the agenda of the next congress, which will meet in Paris in the spring of 1926, and to form an American delegation."

"The International Congress of Public Administration is an important semiofficial meeting of the men in the highest ranks of the leading governments of the world and of students of administration connected with universities and other institutions. The work of each congress is carried on chiefly in round table conferences devoted to municipal and central administration, personnel problems, and methods of documentation."

The Cleveland Bureau of Municipal Research held its annual meeting on March 17, which was attended by more than a hundred people. L. E. Carter, the director, presented his report on the year's work, the most interesting part of which dealt with finance administration in the city board of education. It was pointed out that some of the recommendations in this respect had already been carried out. The board of education had appointed a central fiscal officer, who would have charge of budget making, accounting, and general financial control. Mr. Hopkins, city manager of Cleveland, and Luther Gulick of the New York Bureau of Municipal Research spoke at this meeting.

The State Survey Commission of Nevada is undertaking a complete study of the state government with a view to making plans for administrative reorganization, the use of business methods in the administration, and perhaps the adoption of a single-house legislature. This commission has secured A. E. Buck of the New York Bureau of Municipal Research to assist it in the work. Mr. Buck will be in Reno during April advising with the commission on its program of work.

AMERICAN CIVIC ASSOCIATION NOTES

EDITED BY HARLEAN JAMES, SECRETARY

Twentieth Anniversary of the American Civic Association and Second Annual Conference on the Federal City.—The American Civic Association was organized in June of 1904 at St. Louis during the exposition. It has seen twenty years of service on the advance line of civic improvement. In order to accommodate the members and guests who will gather in Washington for the twentieth anniversary a liberty has been taken with the calendar and the conference has been called for cherry-blossom time. On Wednesday, April 9, an anniversary luncheon will be given to celebrate past achievements and outline new ones.

Among former executive board members who, it is hoped, may participate in the conference are: Mr. George A. Parker of Hartford, Conn.; Mr. Frederick S. Lamb, Mr. Graham R. Taylor, Mr. Frank Bray Chapin and Miss Margaret Wilson of New York; Mr. Warren Manning of Cambridge, Mass.; Mr. Joseph Lee and Mr. Charles Zeublin of Boston; Mrs. A. E. McCrae of Green Bay, Wis.; Mr. Albert K. Smiley of Mohonk Lake, N. Y.; Mr. George Burnham, Jr., and Mrs. Imogen Oakley of Philadelphia; Hon. Vance McCormick of Harrisburg, Pa.; Mr. Theodore Marburg of Baltimore; Mr. Charles L. Hutchinson and Mr. Alfred Baker of Chicago; Mr. Samuel Mather, Mr. W. G. Mather and Miss Belle Sherwin of Cleveland; Dr. Kenyon L. Butterfield of Amherst, Mass.; Miss Zona Gale of Portage, Wis.; Mr. H. K. Bush-Brown and Miss Mabel Boardman of Washington; Mr. Morton D. Hull of Chicago, now a member of Congress; Mrs. John D. Sherman of Estes Park, Colorado; Mr. Samuel Thorpe of Minneapolis; Mrs. Philip North Moore of St. Louis; Dr. John Van Schaick and many others. The perusal of these names, together with those of the present executive board suggests that the civic cause has commended itself to many of the country's men and women of consequence.

Mr. Frederick Law Olmsted and Dr. John Nolen will be attending the National Conference on City Planning in Los Angeles which is expected to send a message to the Washington Conference; but the following board members will in all probability attend in person: President J. Horace McFarland; Clinton Rogers Woodruff, treasurer; Mr. Richard Watrous and Mrs. Eleanor Marshall Thurman, former secretaries; Mrs. Edward W. Biddle, Mr. Arnold W. Brunner and Dr. Albert Shaw, vice-presidents; Mr. Thomas Adams, Mr. Henry A. Barker, Mr. Harold S. Caparn, Mrs. Caroline Bartlett Crane, Miss H. M. Dermitt, Dr. Henry S. Drinker, Mr. William C. Gregg, Mr. Electus D. Litchfield, Mr. Irving E. Macomber and Dr. Frank A. Waugh.

Mr. William P. Bancroft of Wilmington, Del., who has attended so many American Civic Association conferences, still holds his interest and sends words of encouragement though he cannot be present. Dr. Charles W. Eliot writes that "the disabilities which accompany one's ninetieth year will prevent" him from attending the conference, but he promises to write his representative in Congress concerning the passage of the Barbour bill. Mr. Daniel Chester French also sends a special communication about the national parks.

Beyond all dispute there is a community of interest and endeavor among the workers in the American Civic Association!

Following the anniversary luncheon there will be a planning trip around Washington and a conference dinner on the Federal City, on which occasion Honorable Herbert Hoover, secretary of commerce, will talk on the economy of planning for Washington, and the chairmen of the district committees in Congress will explain how the American Civic Association committees can help secure the proper legislation. There will be a roll call of the fifty field committees on the Federal City, and Mr. Frederic A. Delano will set forth the achievements of the Washington committee and outline the next steps to be taken.

The press of the country has responded generously to the request of the association for publicity concerning the Federal City. Mr. George B. Dealey, vice-president of the American Civic Association and also vice-president of the Associated Press, and editor and general manager of the Dallas *News*, has taken great interest in this

movement. About five hundred citizens, serving on some fifty committees in different parts of the United States, have pledged themselves to keep informed concerning the outstanding needs of Washington and to aid the capital in securing proper legislation to insure its orderly development.

The L'Enfant Plan, inspired and directed by Washington and Jefferson, was the first step in making Washington the unique capital which it is. The part report of the McMillan Commission, with the achievements which have followed, forms the second important step. It is believed that those who attend the Washington Conference this year will be glad to remember that they were present on the memorable occasion when the third great step will be set forth—the restudy and extension of the plan of 1792 to meet 1924 conditions.

In general the Federal City committees have two main objects:

1. To carry out the recommendations of the McMillan Commission.
2. To provide for an extended plan and a machinery to insure that all future development conforms to a wisely-laid-out plan.

Under the first heading, it is of interest to note that the bill providing for the development of gardens south of the Capitol which will remove the present Botanic Garden and permit the improvement of the Mall approach to the Capitol, has already passed the Senate and has been reported favorably from the House Committee on Public Buildings and Grounds.

The Capital Park Commission bill, which would probably exercise a greater effect upon the landscape of the District of Columbia than any proposed measure in recent years, has been favorably reported by the Senate committee on the District of Columbia and it is hoped that it will become a law during this session of Congress. Under this bill, if adequate appropriations are made, it will be possible to save proposed park areas which are threatened with devastation. No greater service could be rendered the Federal City to-day than the provision of a means whereby prompt action could prevent the destruction caused by the ax and the steam shovel. The routine of congressional legislation, devised to sift sudden and irresponsible proposals from the sound, well-considered acts which survive the obstacles set up to prove them, is hardly calculated to meet emergencies in times of rapid development of real estate.

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National Parks.—Hearings were held on the Barbour bill to enlarge the Sequoia National Park on February 27. There was a unanimity of opinion on the part of the organizations represented that the entire proposed area should be made into a national park; but the sudden opposition which had developed in Fresno county after Mr. Barbour came to Washington this autumn, may prevent passage of the bill at this session of Congress. The irrigationists of Fresno county are planning a wholly laudable and extensive irrigation development at Pine Flats which is some miles outside the proposed national park. It seems, however, that the farmers have been paying more for power than they think they ought, although the rates are regulated by the state, and they fear that they may some time want to develop power on the Upper Kings River within the proposed park area. In view of the expense involved, as reported by various engineers for power companies, and in view of the fact that if the Kings country is left open for power filings, *anyone can develop power* who meets the requirements of the Federal Power Commission, it seems to many that *the very best protection which the irrigationists could have* for the protection of the full flow of water into their Pine Flats reservoir *would be the establishment of a national park* which would prevent the power companies from obtaining power sites in the upper Kings forks within the park. It is, therefore, confidently hoped that the irrigationists will "see the light" and that the Barbour bill may become a law at the next session of Congress. The letters which have been sent to members of Congress and their replies would indicate that there is an *overwhelming* sentiment in favor of the establishment of a national park to preserve both the Kings and the Kern Rivers for the enjoyment of all the people of the United States.

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Village Planning Slides.—As a part of the work of the division of farm population and rural life of the Department of Agriculture a set of pictures has been assembled showing harmonious and spacious arrangement of the public buildings in rural villages from Maine to California. These pictures have been made into slides by the States

Relations Service and can be secured from the service in Washington, or from any state division of extension or from any county agent. It has often been a matter for remark that many country towns, where land is cheap and there are no artificial boundaries to prevent proper arrangement, should present to the passing traveler so depressing an aspect. How many of us can recall groups of unsightly buildings huddled together without plan at the crossroads of some straggling settlement! And yet when one looks at the pictures thrown on the screen of New England villages, Ohio towns and California "cities in embryo," each exhibiting the charming effect which may be secured by orderly arrangement of city hall, church, school, library and post office in connection with a "common," park or civic center, the conclusion is inescapable that every crossroads settlement needs a plan from the moment when the first building is projected. It is impossible to erect a single building without having some sort of plan in mind. Some picture must be imagined when the stakes for the corners are driven. Why not, then, at the time when it will be most useful, place the first building according to some scheme which will admit expansion and provide public buildings which the countryside may be proud to use?

Civic leaders, women's clubs, chambers of commerce, granges, rural associations and schools will profit by seeing these slides which have been prepared by the Department of Agriculture and can easily be borrowed from Uncle Sam, through any of the agencies mentioned above.

State Park Conference.—One more reminder of the State Park Conference to be held at Gettysburg, Pa., on May 26, 27 and 28.

PUBLIC HEALTH NOTES

EDITED BY C. E. McCOMBS, M.D.

A Typhoid Carrier in New York State.—The New York State Health Department reports an interesting case of the typhoid carrier on a dairy farm who recently infected several persons in one family, three of whom died. The carrier gave a history of having had typhoid forty-six years ago. About fifteen years ago one of the children in the carrier's home had the disease; about two years ago two people who had visited the carrier's home were infected and within the year a man working on the carrier's farm was stricken. A case of typhoid also occurred in each of two neighboring families who used water from a creek polluted by the effluent from a septic tank on the carrier's farm. An epidemic of typhoid occurred six years ago in a neighboring community and it would appear that the epidemic also was traceable to the same source of infection.

Health Education Saves Lives.—A recent report of the Metropolitan Life Insurance Company on "Lengthening Life Through Insurance Health Work" illustrates what can be done to prevent disease and death by intelligently directed, adequately financed health education. The Metropolitan Life Insurance Company has for fifteen years carried on an extensive health conservation service among its industrial policy holders. It has distributed 306,000,000 pieces of literature, provided a visiting nurse service in more than 4,000 cities and towns, co-operated with public and private health workers in many cities and states and carried on health campaigns of one kind or another wherever conditions warranted.

Considering the period 1911 to 1923 inclusive, the Metropolitan Life Insurance Company reports 52,600 fewer deaths among its industrial policy holders in 1923 than if the 1911 death rate had prevailed. Although there has been a general decline in the death rate for the entire population of the country in this period, the downward trend of the death rate among the Metropolitan's industrial policy holders has been three times greater than that in the entire registration area of the United States. It is estimated that this means a saving in Metropolitan death claims of $12,680,000 in 1923 alone.

Better Disease Prevention; Less Dependency.—Dr. Anna Mann Richardson of the New York Committee on Dispensary Development shows in a recent issue of the *Survey* that of 1,000 clients of family case work agencies, 94 per cent of the group were found to have one or more physical defects or disabilities. Forty per cent of the total were found to have diseases or defects which though not incapacitating at the time of examination would, if neglected, result in lowering their economic efficiency. About 54 per cent had diseases and defects temporarily or permanently affecting normal development and working capacity.

Dr. Richardson concludes that physical examinations of the clients of family care by defining the extent of existing disease and detecting defects which may later cause incapacity is the only sound basis for meeting the health and sickness problems of applicants for assistance.

The relation of disease and physical defect to the problem of dependency is generally well recognized, but in few cities has there been a satisfactory correlation of health service and relief of dependents. Dr. Richardson recommends special divisions of out-patient hospital service to provide for examination of applicants for relief, referred by social workers.

Chiropractors and Hospital Practice.—The issue between chiropractors and the regular medical practitioners has been sharply raised in Jamestown, New York. Several chiropractors of that city demanded the right to send patients to the city hospital and treat them there. After much discussion pro and con Corporation Council Cawcoft of Jamestown handed down the following opinion: "The city hospital is the creation of the charter and general laws of the state. These laws contemplate the admission of patients for medical treatment by licensed

physicians and not by somebody else." If a chiropractor cannot give medical treatment, Mr. Cawcoft declares, the hospital board is not justified in admitting him to treat patients by chiropractic methods in the city hospital. "On the other hand," he says, "if the chiropractor asserts that he does give medical treatment then the board is in the position of permitting such chiropractor to violate the law on the premises under its control, because it is a penal offense for any one but a licensed physician to give medical treatment."

City Noises vs. Health.—A recent issue of the weekly bulletin of the Chicago Department of Health is devoted to a discussion of city noises and their effect upon health. The commissioner of health calls upon all citizens of Chicago to co-operate with him in his campaign against unnecessary noise because of its serious effect upon hearing, loss of sleep and rest, particularly among infants and the sick, and the ill consequences of nerve fatigue among citizens generally.

The "Frozen Antitoxin Scare."—The April issue of Hygeia contains an article under this caption by Dr. William H. Park, director of the bureau of laboratories of the New York City Health Department. Readers of the REVIEW may recall recent articles in the press about the alarming symptoms which appeared among a group of forty children in a Boston suburb who had received injections of toxin-antitoxin fluid which had previously been frozen. Although none of the children suffered any permanent ill effect, health authorities as well as parents were much disturbed. Investigation of the circumstances by Dr. Park and others disclosed that the freezing of the toxin-antitoxin fluid had in some unknown way freed the toxin from the antitoxin of the particular preparation used and the bad results were attributed to the action of the free toxin. Other similarly frozen specimens produced no ill effects whatever among the children treated and Dr. Park and his associates in the investigation are unable to account for the toxic change in the preparation in question.

The rapid progress being made in diphtheria prevention through the widespread use of toxin-antitoxen immunization will probably not receive any serious check because of this unfortunate occurence, although doubtless much will be made of the incident by "conscientious objectors" to any kind of vaccine or serum preventive of disease. Dr. Park states in his article that a standard toxin-antitoxen preparation is now available in which the amount of diphtheria toxin is only one tenth of what it was in the Boston case and that experiments with this standard fluid, frozen and otherwise, have demonstrated its complete absence of toxicity. He says there is no probability of the slightest accident happening again.

The toxin-antitoxin method of immunization against dyphtheria has been in use now for four years in New York City, and during that time the deaths from diphtheria have been reduced from 1200 a year to 600 a year. Similar results are being obtained in other cities. No health officer should neglect to inform himself thoroughly on the subject and to make known the facts to his community.

The Prevention of Simple Goitre.—The administration of iodine to school children for the prevention of simple goitre which is highly prevalent in certain cities of the United States, particularly the Great Lakes Cities, has already been discussed in a previous issue of the REVIEW with especial reference to iodine treatment of the water supply in Rochester, New York. Authorities differ as to the best method of administering iodine to large numbers of the population, although practically all agree that it is an effective goitre prophylactic when properly used. In Switzerland where a special organic compound of iron is used and combined with chocolate to make tablets each containing five milligrams of iodine, some remarkable results have been obtained. In St. Gall, Switzerland, according to The World's Health, published by the League of Red Cross Societies, the incidence of simple goitre among school children was reduced from 87% in 1918 to 13% in 1922 by the use of iodine prophylaxis.

NOTES AND EVENTS

EDITED BY A. E. BUCK

Power Production and Our Cities.—Power production has had a tremendous influence upon the growth of many of our important cities. Our modern industrial cities are mostly near coal mines, along great rivers, or in the vicinity of water falls from which power is available for use. The much talked of Muscle Shoals power development, when completed, will directly effect the growth and the municipal problems of a score or more cities in northern Alabama and southern Tennessee.

Sometime ago a commission consisting of representatives of the seven states in the Colorado River basin, assisted by Secretary Hoover, formed a plan for the conservation and utilization of the water in the Colorado River. A seven-state treaty has been negotiated and ratified by six of the states concerned, namely, California, Nevada, Utah, Wyoming, Colorado and New Mexico. Arizona has not yet acted upon the treaty because of a provision which gives to agriculture priority over power production in the use of the Colorado River flow. Interests in Arizona feel that for Arizona the matter of power production is more important than the matter of agriculture.

While the Colorado River basin development is a gigantic proposal, an even greater proposal from the power production and industrial standpoint is that lately spoken of as the "Giant Power" development in the Atlantic coast states. The Pennsylvania legislature of 1923 made an appropriation at the recommendation of Governor Pinchot for a Giant Power survey. This survey, under the direction of Morris L. Cooke, is now in progress in the state of Pennsylvania. The neighboring states have not yet shown a willingness to co-operate should a feasible plan be proposed. In fact, Maine has endeavored to prohibit the exportation of electric power from within its borders, while Connecticut has endeavored to prohibit the importation of electric power from without its borders. It seems that many knotty problems are going to be encountered by any plan that may be proposed.

Up to the present time considerable interesting information has been brought together, and the public imagination seems to have been aroused somewhat over the proposal for power production and conservation. At least, one hears a lot of talk about "super-power," lately called "giant power," being the means of "revitalizing the whole social fabric." That is a pretty big order, but to the dreamer anything is possible. And to him we owe practically everything we have in the scientific field. "Giant power," the dreamer says, "would link the energy of the mines with that of the waterfalls, recover valuable byproducts in bituminous coal, supply current to the trunk lines of an integrated transmission and distribution system, spread electrical energy to the farms and reduce rates to the small consumer."

The *Graphic Survey* for March devoted practically the entire issue of over one hundred pages to a discussion of "Giant Power." Articles on this subject by some fifteen notable persons, including Governor Gifford Pinchot, Governor Alfred E. Smith, Morris L. Cooke and Robert W. Bruere, together with interviews of Herbert Hoover and Henry Ford appear in this issue. Giant power is seen through the mind's eye of some of these individuals as being able to bring about "social changes as sweeping as those ushered in by the industrial revolution." If this should ever be realized, the least we can say is that we would have to refashion completely the organization and methods of our city governments.

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How Nonpartisan Politics Works in Seattle.—In the *Seattle Municipal News* for February 23, 1924, Professor R. D. McKenzie, of the department of sociology of the University of Washington, sketches an interesting survey on how nonpartisan politics works in Seattle. In making this survey an attempt has been made to ascertain facts relative to all the candidates who filed for city offices since 1911; the organization that backed them, the papers that either were for or against them, and various measures that were voted on by the people. Professor McKenzie's interest centered mainly in determining what forces were behind each candidate that caused

him to file and which resulted in his defeat or election. It is pointed out that during the period since 1911, 412 candidates filed, 73 of whom were lawyers, 51 real estate men, 27 engineers, 11 laborers, 11 cooks, 10 hotel keepers and so on, representing 41 states and 16 cities. The average age of all candidates was 48 and none were successful who were under 30. Of the successful candidates 90 per cent of them lived in Seattle 10 years or more and the average local resident was 22 years.

In determining what stimulus caused the candidates to file it was found that 31 per cent were public employees seeking office, and 20 per cent were or had been members of some public board or commission.

The repeater, that is the man who had run for office before, was found to have a 10 to 1 advantage over an entirely new candidate in the field. Of the 412 aspirants, 100 had run 6 times; 7, 5 times; 9, 4 times; 7, 3 times, and 40 had run twice before. It was found that the present mayor ran for 10 times before he was elected as mayor.

In determining the relation of the support or opposition of newspapers to the successful candidate, it was found that of 232 defeated candidates during the period, 187 were entirely ignored by the papers. Among the 100 successful candidates, 27 were opposed by one or more papers and 9 candidates by all papers. This seems to show that it is better to be opposed than not to be mentioned. Further investigation by Professor McKenzie was directed toward the relation of local organization endorsement to election, such organizations as the Municipal League and the Chamber of Commerce being considered.

Professor McKenzie also discovered that there were three types of voters in the city of Seattle. The voters of the hills were conservative, the voters in the valley were more radical and interested in labor questions, and the voters in the central downtown district of the city were interested in moral questions.

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Short Ballot Up Again in Massachusetts.—Again the legislature of Massachusetts is asked to vote for the submission of a constitutional amendment that would provide for the appointment of the secretary of state, the treasurer, the auditor, the attorney-general, the sheriffs, the registers of probate, the clerks of courts and district attorneys. The shorter ballot is urged in order that the voters may be able to know better those for whom they vote. With the present multiplicity of offices to be filled by election it is quite impracticable if not impossible for the voter to have any knowledge of the fitness of many of those for whom he casts his ballot. The candidates must be taken largely upon faith. This applies both in cases of state and county officials.

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More About Home Rule in New York.—The home rule enabling act has been redrafted. It seems now to be much better than at first, but it still has some serious defects according to the "State Bulletin" of March 15 from which we quote as follows:

> The home rule enabling act is a lot better than it was when first drafted. If, as now seems likely, this act is to be passed at the present session, and is not to go over until the whole problem can be studied more carefully, there is at least one important change of vital interest to Rochester and second-class cities which ought to be made immediately.
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> The bill provides under the section of definitions that a board of estimate wherever it exists shall be the upper branch of a bicameral city legislature. Rochester and all second-class cities have boards of estimate consisting of the mayor and two other elective officers, and two members appointed by the mayor. This would introduce a new type of legislative body—at least, new since Colonial times, and would have the practical result of making the mayor's veto and control absolute.
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> A second point, and a very serious one, is the omission of any method of securing the creation of a charter commission without the consent of the city's legislative body. In Ohio and other home rule states, a petition can put on the question, "Shall a charter revision commission be elected to draft and submit a new charter?" If the people vote "Yes," a charter commission election is held, and the commission elected thereat can submit a new or amended charter to popular referendum in spite of an adverse city council.
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> As the draft of the enabling act stands now, Buffalo, for example, cannot get a new charter until it elects an administration friendly to charter revision. It is easy to imagine situations where gerrymander or obsolete districting might thus intrench a minority in power indefinitely, or where charter revision would be everlastingly resisted because it would endanger the continuance of some obscure vested cinch of the officials whose consent to charter revision is required.

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Report of Efficiency Commission of Kentucky.—In advance to the general report of the Ken-

tucky Efficiency Commission a series of eight pamphlets are being issued. These cover: (1) financial administration, (2) revenue and taxation, (3) the administrative structure and general summary, (4) public welfare agencies, (5) the educational system, (6) the general assembly, (7) the judiciary, and (8) county government. Four of these pamphlets have already appeared and the others are understood to be in press. The reports are based on investigations conducted for the commission by Griffenhagen & Associates, of Chicago.

The present governor, Honorable W. J. Fields, in his message to the 1924 legislature did not make any recommendations with reference to state reorganization nor did he mention the work of the efficiency commission. He does not seem to be favorable to the report that is being printed; and it is, therefore, the general opinion that nothing will be done with reference to its recommendations at this session of the legislature.

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"An Inventory of Proposed City Projects" is the title of a pamphlet recently issued by the Taxpayers' League of St. Louis County, Duluth, Minn. This pamphlet is unique in that it sets forth the various projects in the way of improvements that different community clubs, civic organizations, trade associations and individuals are asking the municipal government to finance, the aggregate cost of which is nearly $40,000,000. It asks three questions: "What do we want?" "What do we need?" "What can we afford?" The various projects are outlined in detail with the approximate cost of each one and it is pointed out that the total cost is nearly 16 per cent of the total taxable wealth of the city, including money and credits, and 30 per cent of the total assessed value. A postal card is enclosed with the pamphlet asking each citizen to enumerate thereon the projects that in his judgment should be undertaken, when the work should begin, and how much should be spent for each project, then sign and mail the card to the taxpayers' league. This amounts to a "straw vote" after all the proposals have been presented in brief form to the voters, who will take time to read the pamphlet.

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Civic Opera Plan Launched in Baltimore.—Plans for civic grand opera, the performances of which are to take place in May, are nearing completion in the city of Baltimore. The opera will be under the direction of Frederick R. Huber, municipal director of music. Local singers are being selected for the principal rôles and these will be trained gratuitously by professionals. The casting committee will consist of such well known persons in the musical field as Mabel Garrison, formerly of the Metropolitan Opera Company, and Harold Randolph, director of the Peabody Conservatory of Music. The following operas have been selected for presentation: "Cavelleria Rusticana," "La Boheme" and "Pagliacci."

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The Vote on Proposed Constitutional Amendments in Missouri.—A special election was held on February 26 at which twenty-one proposed amendments to the constitution of the state of Missouri were voted upon. With reference to this vote the *St. Louis Globe Democrat* of February 28 had the following to say in its editorial column:

> It appears that many more than four fifths of the qualified voters of the state of Missouri did not vote in this election. Yet it was on the mandate of the people of the state that the Constitutional Convention was held, and it was by the people that the delegates to the convention were chosen. They were elected to represent the people in the revision of the constitution. Nearly a year was given to the task, and most of them devoted their time to it at more or less personal sacrifice. The convention cost the state about $800,000, and the expense of the election added quite a good deal more to the total. The result of all this work was laid before the people of the state on Tuesday for their approval or disapproval. And less than one fifth of the voters interested themselves sufficiently to go to the polls and say "yes" or "no."

When the ballots had been counted throughout the state it was found that only six of the proposed amendments had been approved. The other fifteen were lost. The amendments adopted were as follows:

Amendment No. 4. Authorizing the additional issuance of bonds not to exceed $4,600,000 for paying of bonuses to soldiers and sailors of World War.

Amendment No. 8. Relating to the impeachment of state officers.

Amendment No. 9. Regulating the exercise of the election franchise and authorizing the examination of ballots in election contests.

Amendment No. 18. Relating to removal from office and prohibiting nepotism.

Amendment No. 19. Permitting Kansas City to issue bonds for public improvements and

to assume cost of the construction of sewers and to refund special assessments now or hereafter paid for.

Amendment No. 21. Making provisions for carrying the proposed amendments into effect.

The more important amendments from the standpoint of state organization and administrative methods were defeated. These included attempts to reform the state judiciary system, to give cities local self-government, to simplify indictments, to consolidate state offices and create a budget system, to provide more elasticity in school taxation, to obtain a senatorial redistricting, to provide for nomination of political candidates by party conventions, to enable cities to zone, to abolish the *ex officio* state board of equalization, to tighten the restrictions around the use of the initiative and referendum, and to make numerous other improvements in the skeleton of the state government.

The bonus amendment got the largest vote, a plurality of over 65,000 votes, while the proposed change in the State Department of Education, number 15, was the most heavily defeated amendment, losing by over 107,000.

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Cleveland's P. R. Council.—A most interesting thing seems to have happened in Cleveland since the new P. R. council began to exercise the legislative powers of the city government. The public, for the first time in recent years, is actually present and taking an interest in the meetings of the council. A change has been brought about in the procedure of the council, at least, to the extent that the minority now has the opportunity to question the administration in its appearances before the council. This is interesting, as well as somewhat novel in our municipal government. It certainly is the means of making live news about the city's affairs. More about this, anon.

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An interesting article, giving a brief survey of the governmental research movement in this country, appeared in the *American Review* for January-February, 1924, under the caption "The Governmental Research Movement—An Interpretation." This article was written by Fred P. Gruenberg, formerly director of the Philadelphia Bureau of Municipal Research.

"Better Homes in America" Movement.—Better Homes in America is a public service organization with national headquarters in Washington. Its immediate aim is to provide a means by which the men and women of each American community can have access to the highest standards of planning, construction, equipment and furnishing of private homes that may be within their means. Its ultimate aim is to promote a general interest in true homes—economical, convenient, attractive and wholesome—and in the best type of family life.

Better Homes in America extends its help to the citizens of every city, town, village and rural section in the country. This year it is paying particular attention to the home problems which confront families of small or moderate means. Its program is put into operation by local committees with the advice and help of national headquarters. The local committees each organize and conduct a local demonstration of an inexpensive, well-balanced, attractive home.

The movement was initiated in 1922 by Mrs. William Brown Meloney, editor of the *Delineator*. It has expanded rapidly, and its importance has become so apparent that it has been reorganized as an independent educational foundation. The new national organization is being financed by public gifts, which have already been largely assured.

The organization has the indorsement of President Coolidge, who for the second time has consented to head the advisory council. Dr. James Ford of Harvard University, formerly a member of the board of directors of the U. S. Housing Corporation, has recently been appointed executive director of Better Homes in America.

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The way some of the political leaders have been frantically seeking a refuge from congressional investigation of the Tea Pot Dome reminds us of the man who was telling his son a bedtime story about an alligator. It was creeping up behind a turtle, with its mouth wide open. Finally it was within reach, but just as its great jaws were snapping shut, the turtle made a spring, ran up a tree and escaped.

"Why father," said the boy, "how could a turtle climb a tree?"

"By gosh," replied the father, "he had to!"